THE

HISTORY

SCOTLAND,

DURING THE REIGNS OF

QUEEN MARY, AND KING JAMES VI.

TILL

HIS ACCESSION TO THE CROWN OF ENGLAND.

WITH

A REVIEW of the SCOTTISH HISTORY

previous to that Period;

And an APPENDIX containing ORIGINAL PAPERS.

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THE HISTORY OF SCOTLAND.

BOOK FIFTH.

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THE confederate lords had proceeded to such extremities against their sovereign, that it now became almost impossible for them either to stop short, or to pursue a course less violent. Many of the nobles had refused to concur with them in their enterprise; others openly condemned it. A small circumstance might abate that indignation with which the multitude were at present animated against the queen, and deprive them of that popular applause which was the chief foundation of their power. These considerations inclined some of them to treat the queen with great lenity.

But, on the other hand, Mary's affection for Bothwell continued as violent as ever; she obstinately refused to hearken to any proposal for dissolving their mar-

riage, and determined not to abandon a man for whose love she had already sacrificed so much*. If they should allow her to recover the supreme power, the first exertion of it would be to recal Bothwell; and they had reason, both from his resentment, from her conduct, and from their own, to expect the severest effects of her vengeance. These considerations surmounted every other motive; and reckoning themselves absolved, by Mary's incurable attachment to Bothwell, from the engagements which they had come under when she yielded herself a prisoner, they, without regarding the duty which they owed her as their queen, and without consulting the rest of the nobles, carried her next evening, under a strong guard, to the castle of Lochleven, and signed a warrant to William Douglas, the owner of it, to detain her as a prisoner. This castle is situated on a small island, in the middle of a lake. Douglas, to whom it belonged, was a near relation of Morton's, and had married the earl of Murray's mother. In this place, under strict custody, with a few attendants, and subjected to the insults of a haughty woman, who boasted daily of being the lawful wife of James V. Mary suffered all the rigour and miseries of captivity†.

Immediately after the queen's imprisonment, the confederates were at the utmost pains to strengthen their party; they entered into new bonds of association; they assumed the title of *lords of the secret council*, and without any other right, arrogated to themselves the whole regal authority. One of their first acts of power was to search the city of Edinburgh for those who were concerned in the murder of the king. This shew of zeal gained reputation to themselves, and threw an oblique reflection on the queen for her remissness. Several suspected persons were seized. Captain Blackadder and three others were condemned and executed. But no discovery of importance was made. If we believe some historians, they were convicted by sufficient evidence. If we give credit to others, their sentence was unjust,

* Keith, 419, 446, 449. Melv. 167. See Appendix, No. XXII. † Keith, 403. Note *(b.)*

and they denied, with their last breath, any knowledge of the crime for which they suffered*.

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fullest evidence of her guilt. Bothwell having left in the castle of Edinburgh a casket, containing several sonnets and letters written with the queen's own hand, he now sent one of his confidents to bring to him this precious deposite; but, as his messenger returned, he was intercepted, and the casket seized by Morton†. The contents of it were always produced by the party as the most ample justification of their own conduct, and the most unanswerable proof of their not having loaded their sovereign with the imputation of imaginary crimes‡.

But the confederates, notwithstanding their extraordinary success, were still far from being perfectly at ease. That so small a part of the nobles should pretend to dispose of the person of their sovereign, or to assume the authority which belonged to her, without the concurrence of the rest, appeared to many of that body to be unprecedented and presumptuous. Several of these were now assembled at Hamilton, in order to deliberate what course they should hold in this difficult conjuncture. The confederates made some attempts towards a coalition with them, but without effect. They employed the mediation of the assembly of the church, to draw them to a personal interview at Edinburgh, but with no better success. That party, however, though its numbers were formidable, and the power of its leaders great, soon lost reputation by the want of unanimity and vigour; all its consultations evapourated in murmurs and complaints, and no scheme was concerted for obstructing the progress of the confederates‖.

There appeared some prospect of danger from another quarter. This great revolution in Scotland had been carried on without any aid from Elizabeth, and even without her knowledge.*. Though she was far

* Cald. vol. ii. 53. Crawf. Mem. 35. † Anders. vol. ii. 92. Good. vol. ii. 90. ‡ See Dissertation at the end of the History. ‖ Keith, 407. * Keith, 415.

from being displeased at seeing the affairs of that kingdom embroiled, or a rival, whom she hated, reduced to distress; she neither wished that it should be in the power of the one faction entirely to suppress the other, nor could she view the steps taken by the confederates without great offence. Notwithstanding the popular maxims by which she governed her own subjects, her notions of royal prerogative were very exalted. The confederates had, in her opinion, encroached on the authority of their sovereign, whom they had no right to controul, and had offered violence to her person, which it was their duty to esteem sacred. They had set a dangerous example to other subjects; and Mary's cause became the common cause of princes†. If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by considerations of interest, it was on this occasion. She instantly dispatched Throkmorton into Scotland, with powers to negotiate both with the queen, and with the confederates. In his instructions there appears a remarkable solicitude for Mary's liberty, and even for her reputation‡. And the choice of an ambassador, so devoted to the interest of the Scottish queen, proves this solicitude to be sincere. But neither Elizabeth's friendship, nor Throkmorton's zeal, were of much avail to Mary. The confederates foresaw what would be the effects of these good offices; and that the queen, elated by the prospect of protection, would reject with scorn the overtures which they were about to make her. They, for that reason, peremptorily denied Throkmorton access to their prisoner. And what propositions he made to them in her behalf, they either refused, or eluded§.

Meanwhile they deliberated with the utmost anxiety concerning the settlement of the nation, and the future disposal of the queen's person. Elizabeth, observing that Throkmorton made no progress in his negotiations with them, and that they would listen to none of his demands in Mary's favour, turned towards that party of the nobles who were assembled at Hamilton, incited

† Id. 412, 415. ‡ Id 411. § Keith, 417, 427.

them to take arms in order to restore their queen to liberty, and promised to assist them in such an attempt to the utmost of her power‖. But they discovered no greater union and vigour than formerly, and behaving like men who had given up all concern either for their queen or their country, tamely allowed an inconsiderable part of their body, whether we consider it with respect to numbers or to power, to settle the government of the kingdom, and to dispose of the queen's person at pleasure. Many consultations were held, and various opinions arose with regard to each of these. Some seemed desirous of adhering to the plan on which the confederacy was at first formed; and after punishing the murderers of the king, and dissolving the marriage with Bothwell; after providing for the safety of the young prince, and the security of the protestant religion; they proposed to re-establish the queen in the possession of her legal authority. The success with which their arms had been accompanied inspired others with bolder and more desperate thoughts, and nothing less would satisfy them than the trial, the condemnation, and punishment of the queen herself, as the principal conspirator against the life of her husband and the safety of her son*, the former was Maitland's system, and breathed too much of a pacific and moderate spirit, to be agreeable to the temper or wishes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durst not or would not venture on such an unprecedented and audacious deed†.

Both parties agreed at last upon a scheme, neither so moderate as the one, nor so daring as the other. Mary was to be persuaded or forced to resign the crown; the young prince was to be proclaimed king, and the earl of Murray was to be appointed to govern the kingdom,

‖ See Appendix, No. XXIII. * Keith, 420—422, 582.

† The intention of putting the queen to death seems to have been carried on by some of her subjects: at this time we often find Elizabeth boasting that Mary owed her life to her interposition. Digges's Compl. Amb. 14, &c. See Append. No. XVIII.

during his minority, with the name and authority of regent. With regard to the queen's own person, nothing was determined. It seems to have been the intention of the confederates to keep her in perpetual imprisonment; but, in order to intimidate herself, and to overawe her partisans, they still reserved to themselves the power of proceeding to more violent extremes.

It was obvious to foresee difficulties in the execution of this plan. Mary was young, ambitious, high-spirited, and accustomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which she was born to enjoy, to become dependent on her own subjects, to consent to her own bondage, and to invest those persons whom she considered as the authors of all her calamities with that honour and authority of which she herself was stripped, were points hard to be gained. These, however, the confederates attempted, and they did not want means to insure success. Mary had endured, for several weeks, all the hardships and terror of a prison; no prospect of liberty appeared; none of her subjects had either taken arms, or so much as solicited her relief*; no person in whom she could confide was admitted into her presence; even the ambassadors of the French king, and queen of England, were refused access to her. In this solitary state, without a counsellor or a friend, under the pressure of distress and the apprehension of danger, it was natural for a woman to hearken almost to any overtures. The confederates took advantage of her condition and of her fears. They employed lord Lindsay, the fiercest zealot in the party, to communicate their scheme to the queen, and to obtain her subscription to those papers which were necessary for rendering it effectual. He executed his commission with harshness and brutality. Certain death was before Mary's eyes if she refused to comply with his demands. At the same time she was informed by sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the persons among the confederates who were most attentive to her interest, that a

* Keith, 425.

resignation extorted by fear, and granted during her imprisonment, was void in law, and might be revoked as soon as she recovered liberty. Throkmorton, by a note which he found means of conveying to her, suggested the same thing†. Deference to their opinion, as well as concern for her own safety, obliged her to yield to every thing which was required, and to sign all the papers which Lindsay presented to her. By one of these, she resigned the crown, renounced all share in the government of the kingdom, and consented to the coronation of the young king. By another, she appointed the earl of Murray regent, and conferred upon him all the powers and privileges of that high office. By a third, she substituted some other nobleman in Murray's place, if he should refuse the honour which was designed for him. Mary, when she subscribed these deeds, was bathed in tears; and while she gave away, as it were with her own hands, the sceptre which she had swayed so long, she felt a pang of grief and indignation, one of the severest, perhaps, which can touch the human heart‡.

The confederates endeavoured to give this resignation all the weight and validity in their power, by proceeding without delay to crown the young prince. The ceremony was performed at Stirling, on the twenty-ninth of July, 1567, with much solemnity, in presence of all the nobles of the party, a considerable number of lesser barons, and a great assembly of the people. From that time all public writs were issued, and the government carried on in the name of James VI‖.

No revolution so great was ever effected with more ease, or by means so unequal to the end. In a warlike age, and in less time than two months, a part of the nobles, who neither possessed the chief power nor the greatest wealth in the nation, and who never brought three thousand men into the field, seized, imprisoned, and dethroned their queen, and without shedding a single drop of blood, set her son, an infant of a year old, on the throne.

† Keith, 425. Note (b). ‡ Keith, 430. ‖ Keith, 437.

During this rapid progress of the confederates, the eyes of all the nation were turned on them with astonishment; and various and contradictory opinions were formed concerning the extraordinary steps which they had taken.

Even under the aristocratical form of government which prevails in Scotland, said the favourers of the queen, and notwithstanding the exorbitant privileges of the nobles, the prince possesses considerable power, and his person is treated with great veneration. No encroachments should be made on the former, and no injury offered to the latter, but in cases where the liberty and happiness of the nation cannot be secured by any other means. Such cases seldom exist, and it belongs not to any part, but to the whole, or at least to a majority of the society, to judge of their existence. By what action could it be pretended that Mary had invaded the rights or property of her subjects, or what scheme had she formed against the liberty and constitution of the kingdom? Were fears, and suspicions, and surmises, enough to justify the imprisoning and the deposing a queen, to whom the crown descended from so long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct was now driven from her presence. The murderers of the king might have been brought to condign punishment, the safety of the prince have been secured, and the protestant religion have been established, without wresting the sceptre out of her hands, or condemning her to perpetual imprisonment. Whatever right a free parliament might have had to proceed to such a rigorous conclusion, or whatever name its determinations might have merited, a sentence of this nature, passed by a few nobles, without acknowledging or consulting the rest of the nation, must be deemed a rebellion against the government, and a conspiracy against the person of their sovereign.

The partisans of the confederates reasoned very differently. It is evident, said they, that Mary either previously gave consent to the king's murder, or did afterwards approve of that horrid action. Her attachment

to Bothwell, the power and honours with which she loaded him, the manner in which she suffered his trial to be carried on, and the indecent speed with which she married a man stained with so many crimes, raise strong suspicions of the former, and put the latter beyond all doubt. To have suffered the supreme power to continue in the hands of an ambitious man, capable of the most atrocious and desperate actions, would have been disgraceful to the nation, dishonourable to the queen, and dangerous to the prince. Recourse was therefore had to arms. The queen had been compelled to abandon a husband so unworthy of herself. But her affection toward him still continuing unabated; her indignation against the authors of this separation being visible, and often expressed in the strongest terms; they, by restoring her to her ancient authority, would have armed her with power to destroy themselves, have enabled her to recal Bothwell, and have afforded her an opportunity of pursuing schemes fatal to the nation with greater eagerness, and with more success. Nothing therefore remained, but by one bold action to deliver themselves and their country from all future fears. The expedient they had chosen was no less respectful to the royal blood, than necessary for the public safety. While one prince was set aside as incapable of governing, the crown was placed on his head who was the undoubted representative of their ancient kings.

Whatever opinion posterity may form on comparing the arguments of the two contending parties, whatever sentiments we may entertain concerning the justice and necessity of that course which the confederates held, it cannot be denied that their conduct, so far as regarded themselves, was extremely prudent. Other expedients, less rigorous towards Mary, might have been found for settling the nation; but, after the injuries which they had already offered the queen, there was none so effectual for securing their own safety or perpetuating their own power.

To a great part of the nation the conduct of the confederates appeared not only wise but just. The

king's accession to the throne was every where proclaimed, and his authority submitted to without opposition. Though several of the nobles were still assembled at Hamilton, and seemed to be entering into some combination against his government, an association for supporting it was formed, and signed by so many persons of power, and influence, throughout the nation, as entirely discouraged the attempt *.

The return of the earl of Murray about this time, added strength to the party, and gave it a regular and finished form. Soon after the murder of the king, this nobleman had retired into France, upon what pretence historians do not mention. During his residence there, he had held a close correspondence with the chiefs of the confederacy, and at their desire he now returned. He seemed at first unwilling to accept the office of regent. This hesitation cannot be ascribed to the scruples either of diffidence or of duty. Murray wanted neither the abilities nor the ambition which entitled him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act; to balance the strength and resources of the two contending factions, and to examine whether the foundation on which his future fame and success must rest were sound and firm.

Before he declared his final resolution, he waited on Mary at Lochleven. This visit to a sister, and a queen, in a prison, from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner †, expostulated so warmly with the queen concerning her past conduct, and charged her faults so home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely

* Anders. vol. ii. 231. † Keith, 96.

to despair‡. This interview, from which Murray could reap no political advantage, and wherein he discovered a spirit so severe and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

Soon after his return from Lochleven, Murray accepted the office of regent, and began to act in that character without opposition.

Amidst so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his flight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunbar. But finding it impossible for him to make head in that country against his enemies, or even to secure himself from their pursuit, he fled for shelter to his kinsman the bishop of Murray; and when he, overawed by the confederates, was obliged to abandon him, he retired to the Orkney isles. Hunted from place to place, deserted by his friends, and accompanied by a few retainers as desperate as himself, he suffered at once the miseries of infamy and of want. His indigence forced him upon a course which added to his infamy. He armed a few small ships, which had accompanied him from Dunbar, and attacking every vessel which fell in his way, endeavoured to procure subsistence for himself and his followers by piracy. Kirkaldy and Murray of Tullibardin were sent out against him by the confederates; and surprising him while he rode at anchor, scattered his small fleet, took a part of it, and obliged him to fly with a single ship towards Norway. On that coast, he fell in with a vessel richly laden, and immediately attacked it; the Norwegians failed with armed boats to its assistance, and after a desperate fight, Bothwell and all his crew were taken prisoners. His name and quality were both unknown, and he was treated at first with all the indignity and rigour which the odious crime of piracy me-

‡ Keith, 445, 446.

rited. His real character was soon discovered; and though it saved him from the infamous death to which his associates were condemned, it could neither procure him liberty, nor mitigate the hardships of his imprisonment. He languished ten years in this unhappy condition; melancholy and despair deprived him of reason, and at last he ended his days, unpitied by his countrymen, and unassisted by strangers†. Few men ever accomplished their ambitious projects by worse means, or reaped from them less satisfaction. The early part of his life was restless and enterprising, full of danger and vicissitudes. His enjoyment of the grandeur, to which he attained, by so many crimes, was extremely short; imbittered by much anxiety, and disquieted by many fears. In his later years he suffered the most intolerable calamities, to which the wretched are subject, and from which persons who have moved in so high a sphere are commonly exempted.

The good effects of Murray's accession to the regency were quickly felt. The party forming for the queen was weak, irresolute, and disunited; and no sooner was the government of the kingdom in the hands of a man so remarkable both for his abilities and popularity, than the nobles, of whom it was composed, lost all hopes of gaining ground, and began to treat separately with the regent. So many of them were brought to acknowledge the king's authority, that scarce any appearance of opposition to the established government was left in the kingdom. Had they adhered to the queen with any firmness, it is probable, from Elizabeth's disposition at that time, that she would have afforded them such assistance as might have enabled them to face their enemies in the field. But there appeared so little vigour or harmony in their councils, that she was discouraged from espousing their cause; and the regent, taking advantage of their situation, obliged them to submit to his government, without granting any terms, either to themselves or to the queen‡.

The regent was no less successful in his attempt to

† Melv. 168. ‡ Keith, 447, 450, 463.

get into his hands the places of ſtrength in the kingdom. Balfour, the deputy governor, ſurrendered the caſtle of Edinburgh; and as the reward of his treachery, in deſerting Bothwell his patron, obtained terms of great advantage to himſelf. The governor of Dunbar, who diſcovered more fidelity, was ſoon forced to capitulate: ſome other ſmall forts ſurrendered without reſiſtance.

This face of tranquillity in the nation encouraged the regent to call a meeting of parliament. Nothing was wanting to confirm the king's authority, and the proceedings of the confederates, except the approbation of this ſupreme court; and after the ſucceſs which had attended all their meaſures, there could be little doubt of obtaining it. The numbers that reſorted to an aſſembly which was called to deliberate on matters of ſo much importance were great. The meeting was opened with the utmoſt ſolemnity, and all its acts paſſed with much unanimity. Many, however, of the lords who had diſcovered the warmeſt attachment to the queen were preſent. But they had made their peace with the regent. Argyll, Huntly, and Herries acknowledged openly in parliament that their behaviour towards the king had been undutiful and criminal ‡. Their compliance in this manner, with the meaſures of the regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the ſincerity of their reconcilement.

The parliament granted every thing the confederates could demand, either for the ſafety of their own perſons, or the ſecurity of that form of government which they had eſtabliſhed in the kingdom. Mary's reſignation of the crown was accepted, and declared to be valid. The king's authority and Murray's election were recogniſed and confirmed. The impriſoning the queen, and all the other proceedings of the confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and ſhe was declared to be acceſſary to the murder of the king †. At the ſame time

‡ Anderſ. vol. iv. 153. See Appendix, No. XXIV.
† Good. vol. ii. 66. Anderſ. vol. ii. 206.

all the acts of parliament, of the year one thousand five hundred and sixty, in favour of the protestant religion, were publicly ratified; new statutes to the same purpose were enacted; and nothing that could contribute to root out the remains of popery, or to encourage the growth of the Reformation, was neglected.

It is observable, however, that the same parsimonious spirit prevailed in this parliament as in that of the year 1560. The protestant clergy, notwithstanding many discouragements, and their extreme poverty, had for seven years performed all religious offices in the kingdom. The expedients fallen upon for their subsistence had hitherto proved ineffectual, or were intended to be so. But notwithstanding their known indigence, and the warm remonstrances of the assembly of the church which met this year, the parliament did nothing more for their relief, than prescribe some new regulations concerning the payment of the thirds of benefices, which did not produce any considerable change in the situation of the clergy.

A few days after the dissolution of parliament, four of Bothwell's dependents were convicted of being guilty of the king's murder, and suffered death as traitors. Their confessions brought to light many circumstances relative to the manner of committing that barbarous crime; but they were persons of low rank, and seem not to have been admitted into the secrets of the conspiracy §.

Notwithstanding the universal submission to the regent's authority, there still abounded in the kingdom many secret murmurs and cabals. The partisans of the house of Hamilton reckoned Murray's promotion an injury to the duke of Chatelherault, who, as first prince of the blood, had, in their opinion, an undoubted right to be regent. The length and rigour of Mary's sufferings began to move many to commiserate her case. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities were great, did not possess the talents requisite for

§ Anderf. vol. ii. 165.

soothing the rage or removing the jealousies of the different factions. By insinuation or address he might have gained or softened many who had opposed him; but he was a stranger to these gentle arts. His virtues were severe; and his deportment towards his equals, especially after his elevation to the regency, distant and haughty. This behaviour offended some of the nobles, and alarmed others. The queen's faction, which had been so easily dispersed, began again to gather and to unite, and was secretly favoured by some who had hitherto zealously concurred with the confederates†.

Such was the favourable disposition of the nation towards the queen, when she recovered her liberty, in a manner no less surprising to her friends, than unexpected by her enemies. Several attempts had been made to procure her an opportunity of escaping, which some unforeseen accident, or the vigilance of her keepers, had hitherto disappointed. At last Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and insinuating, she treated him with the most flattering distinction; she even allowed him to entertain the most ambitious hopes, by letting fall some expressions as if she would chuse him for her husband§. At his age, and in such circumstances, it was impossible to resist such a temptation. He yielded, and drew others into the plot. On Sunday the second of May, while his brother sat at supper, and the rest of the family were retired to their devotions, one of his accomplices found means to steal the keys out of his brother's chamber, and opening the gates to the queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and on reaching the shore was received with the utmost joy, by Douglas, lord Seaton, and sir James Hamilton, who, with a few attendants, waited for her. She instantly mounted on horseback, and rode full speed towards Niddrie, lord Seaton's seat in West Lothian. She arrived there that night,

† Melv. 179. § Keith, 469, 481. Note.

without being purfued or interrupted. After halting three hours fhe fet out for Hamilton; and travelling at the fame pace, fhe reached it next morning.

On the firft news of Mary's efcape, her friends, whom, in their prefent difpofition, a much fmaller accident would have roufed, ran to arms. In a few days her court was filled with a great and fplendid train of nobles, accompanied by fuch numbers of followers as formed an army above fix thoufand ftrong. In their prefence fhe declared that the refignation of the crown, and the other deeds which fhe had figned during her imprifonment, were extorted from her by fear. Sir Robert Melvil confirmed her declaration; and on that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all thefe tranfactions void and illegal. At the fame time an affociation was formed for the defence of her perfon and authority, and fubfcribed by nine earls, nine bifhops, eighteen lords, and many gentlemen of diftinction §. Among them we find feveral who had been prefent in the laft parliament, and who had figned the counter affociation in defence of the king's government; but fuch fudden changes were then fo common as to be no matter of reproach.

At the time when the queen made her efcape the regent was at Glafgow, holding a court of juftice. An event fo contrary to their expectations, and fo fatal to their fchemes, gave a great fhock to his adherents. Many of them appeared wavering and irrefolute; others began to carry on private negotiations with the queen; and fome openly revolted to her fide. In fo difficult a juncture, where his own fame, and the being of the party, depended on his choice, the regent's moft faithful affociates were divided in opinion. Some advifed him to retire, without lofs of time, to Stirling. The queen's army was already ftrong, and only eight miles diftant; the adjacent country was full of the friends and dependents of the houfe of Hamilton, and other lords of the queen's faction; Glafgow was a large and unfortified town; his own train confifted of no greater number

§ Keith, 475.

than was usual in times of peace; all these reasons pleaded for a retreat. But on the other hand, arguments were urged of no inconsiderable weight. The citizens of Glasgow were well affected to the cause; the vassals of Glencairn, Lennox, and Semple, lay near at hand, and were both numerous and full of zeal; succours might arrive from other parts of the kingdom in a few days; in war, success depends upon reputation, as much as upon numbers; reputation is gained or lost by the first step one takes. In his circumstances, a retreat would be attended with all the ignominy of a flight, and would at once dispirit his friends, and inspire his enemies with boldness. In such dangerous exigencies as this, the superiority of Murray's genius appeared, and enabled him both to chuse with wisdom and to act with vigour. He declared against retreating, and fixed his head quarters at Glasgow. And while he amused the queen for some days, by pretending to hearken to some overtures, which she made for accommodating their differences, he was employed, with the utmost industry, in drawing together his adherents from different parts of the kingdom. He was soon in a condition to take the field; and though far inferior to the enemy in number, he confided so much in the valour of his troops and the experience of his officers, that he broke off the negotiation, and determined to hazard a battle*.

At the same time, the queen's generals had commanded her army to move. Their intention was to conduct her to Dumbarton castle, a place of great strength, which the regent had not been able to wrest out of the hands of lord Fleming the governor; but if the enemy should endeavour to interrupt their march, they resolved not to decline an engagement. In Mary's situation, no resolution could be more imprudent. A part only of her forces was assembled. Huntly, Ogilvie, and the northern clans, were soon expected; her sufferings had removed, or diminished the prejudices of many among her subjects; the address with which she surmounted the dangers that obstructed her escape dazzled and in-

* Buchan. 369.

terested the people; the sudden confluence of so many nobles added lustre to her cause; she might assuredly depend on the friendship and countenance of France; she had reason to expect the protection of England; her enemies could not possibly look for support from that quarter. She had much to hope from pursuing slow and cautious measures; they had every thing to fear.

But Mary, whose hopes were naturally sanguine, and her passions impetuous, was so elevated by her sudden transition from the depth of distress, to such an unusual appearance of prosperity, that she never doubted of success. Her army, which was almost double to the enemy in number, consisted chiefly of the Hamiltons and their dependents. Of these the archbishop of St. Andrews had the chief direction, and hoped, by a victory, not only to crush Murray, the ancient enemy of his house, but to get the person of the queen into his hands, and to oblige her either to marry one of the duke's sons, or at least to commit the chief direction of her affairs to himself. His ambition proved fatal to the queen, to himself, and to his family †.

Mary's imprudence in resolving to fight was not greater than the ill conduct of her generals in the battle. Between the two armies, and on the road towards Dumbarton, there was an eminence called Langside-hill. This the regent had the precaution to seize, and posted his troops in a small village, and among some gardens and inclosures adjacent. In this advantageous situation he waited the approach of the enemy, whose superiority in cavalry could be of no benefit to them on such broken ground. The Hamiltons, who composed the vanguard, ran so eagerly to the attack, that they put themselves out of breath, and left the main battle far behind. The encounter of the spearmen was fierce and desperate; but as the forces of the Hamiltons were exposed on the one flank, to a continued fire from a body of musqueteers, attacked on the other by the regent's most choice troops, and not supported by the rest of the queen's army, they were soon obliged to give ground,

† Anders. vol. iv. 32. Melv. 181.

and the rout immediately became universal. ... tories, in a civil war, and among a barbarous people, have been pursued with less violence, or attended with less bloodshed. Three hundred fell in the field: in the flight very few were killed. The regent and his principal officers rode about, beseeching the soldiers to spare their countrymen. The number of prisoners was great, and among them many persons of distinction. The regent marched back to Glasgow, and returned public thanks to God for this great, and on his side, almost bloodless victory ¶.

During the engagement, Mary stood on a hill, at no great distance, and beheld all that passed in the field, with such emotions of mind as are not easily described. When she saw the army, which was her last hope, thrown into irretrievable confusion, her spirit, which all her past misfortunes had not been able entirely to subdue, sunk altogether. In the utmost consternation, she began her flight, and so lively were her impressions of fear, that she never closed her eyes till she reached the abbey of Dundrenan in Galloway, full sixty Scottish miles from the place of battle ‡.

These revolutions in Mary's fortune had been no less rapid than singular. In the short space of eleven days, she had been a prisoner at the mercy of her most inveterate enemies: she had seen a powerful army under her command, and a numerous train of nobles at her devotion; and now she was obliged to fly, in the utmost danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. She did not think herself safe, even in that retreat; and her fears impelled her to an action, the most unadvised as well as the most unfortunate in her whole life. This was her retiring into England, a step which, on many accounts, ought to have appeared to her rash and dangerous.

Before Mary's arrival in Scotland, mutual distrust and jealousies had arisen between her and Elizabeth. All their subsequent transactions had contributed to

¶ Keith, 477. ‡ Id. 481.

...ate and inflame these passions. She had endeavoured, by secret negotiations and intrigues, to disturb the tranquillity of Elizabeth's government, and to advance her own pretensions to the English crown. Elizabeth, who possessed greater power, and acted with less reserve, had openly supported Mary's rebellious subjects, and fomented all the dissensions and troubles in which her reign had been involved. The maxims of policy still authorised that queen to pursue the same course; as by keeping Scotland in confusion she effectually secured the peace of her own kingdom. The regent, after his victory, had marched to Edinburgh, and not knowing what course the queen had taken, it was several days before he thought of pursuing her*. She might have been concealed in that retired corner, among subjects devoted to her interest, until her party, which was dispersed rather than broken by the late defeat, should gather such strength that she could again appear with safety at their head. There was not any danger which she ought not to have run, rather than throw herself into the hands of an enemy, from whom she had already suffered so many injuries, and who was prompted, both by inclination and by interest, to renew them.

But, on the other hand, during Mary's confinement, Elizabeth had declared against the proceedings of her subjects, and solicited for her liberty with a warmth which had all the appearance of sincerity. She had invited her to take refuge in England, and had promised to meet her in person, and to give her such a reception as was due to a queen and an ally†. Whatever apprehension Elizabeth might entertain of Mary's designs while she had power in her hands, she was at present the object, not of fear, but of pity; and to take advantage of her situation, would be both ungenerous and inhumane. The horrors of a prison were fresh in Mary's memory, and if she should fall a second time into the hands of her subjects, there was no injury to which the presumption of success might not embolden

*Crawf. Mem. 59. †Camd. 489. Anders. vol. iv. 99. 120.

them to proceed. To attempt escaping into France was dangerous, and in her situation almost impossible; nor could she bear the thoughts of appearing as an exile and a fugitive in that kingdom where she had once enjoyed all the splendour of a queen. England remained her only asylum; and in spite of the entreaties of lord Herries, Fleming, and her other attendants, who conjured her, even on their knees, not to confide in Elizabeth's promises or generosity, her infatuation was invincible, and she resolved to fly thither. Herries, by her command, wrote to Lowther, the deputy governor of Carlisle, to know what reception he would give her; and before his answer could return, her fear and impatience were so great, that she got into a fisher-boat; and with about twenty attendants landed at Workington in Cumberland, and thence she was conducted with many marks of respect to Carlisle *.

So soon as Mary arrived in England, she wrote a long letter to the queen, representing, in the strongest terms, the injuries which she had suffered from her own subjects, and imploring that pity and assistance which her present situation demanded †. An event so extraordinary, and the conduct which might be proper in consequence of it, drew the attention, and employed the thoughts of Elizabeth and her council. If their deliberations had been influenced by considerations of justice or generosity alone, they would not have found them long or intricate. A queen, vanquished by her own subjects, and threatened by them with the loss of her liberty, or of her life, had fled from their violence, and thrown herself into the arms of her nearest neighbour and ally, from whom she had received repeated assurances of friendship and protection. These circumstances entitled her to respect and to compassion, and required that she should either be restored to her own kingdom, or at least be left at full liberty to seek aid from any other quarter. But with Elizabeth and her counsellors the question was not, what was most just

* Keith, 483. Anders. vol. iv. 2. † Id. 29.

or generous, but what was most beneficial to herself, and to the English nation. Three different resolutions might have been taken with regard to the queen of Scots. To reinstate her in her throne was one; to allow her to retire into France was another; to detain her in England was a third. Each of these drew consequences after it, of the utmost importance, which were examined, as appears from papers still extant‡, with that minute accuracy which Elizabeth's ministers employed in all their consultations upon affairs of moment.

To restore Mary to the full exercise of the royal authority in Scotland, they observed, would render her more powerful than ever. The nobles who were most firmly attached to the English interest would quickly feel the utmost weight of her resentment. And as the gratitude of princes is seldom strong or lasting, regard to her own interest might soon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottish nation with France, and revive her own pretensions to the English crown. Nor was it possible to fetter and circumscribe the Scottish queen by any conditions that would prevent these dangers. Her party in Scotland was numerous and powerful. Her return, even without any support from England, would inspire her friends with new zeal and courage; a single victory might give them the superiority, which they had lost by a single defeat, and render Mary a more formidable rival than ever to Elizabeth.

The dangers arising from suffering Mary to retire into France, were no less obvious. The French king could not refuse his assistance towards restoring his sister and ally to her throne. Elizabeth would once more see a foreign army in the island, overawing the Scots, and ready to enter her kingdom; and if the commotions in France, on account of religion, were settled, the princes of Lorrain might resume their ambitious projects, and the united forces of France and Scotland might invade England where it is weakest and most defenceless. Nothing therefore remained but to detain her in

‡ Anders. vol. iv. 34, 99, 102.

England, and to permit her either to [illegible] there, or to confine her in a prison. The [illegible] a dangerous experiment. Her court would bec[illegible] place of resort to all the Roman catholics, to the disaffected, and to the lovers of innovation. Though Elizabeth affected to represent Mary's pretensions to the English crown as altogether extravagant and ill-founded, she was not ignorant that they did not appear in that light to the nation, and that many thought them preferable even to her own title. If the activity of her emissaries had gained her so many abettors, her own personal influence was much more to be dreaded; her beauty, her address, her sufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party †.

It was indeed to be apprehended that the treating Mary as a prisoner would excite universal indignation against Elizabeth, and that by this unexampled severity towards a queen, who implored, and to whom she had promised her protection, she would forfeit the praise of justice and humanity, which was hitherto due to her administration. But the English monarchs were often so solicitous to secure their kingdom against the Scots, as to be little scrupulous about the means which they employed for that purpose. Henry IV. had seized the heir of the crown of Scotland, who was forced by the violence of a storm to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hospitality, without regarding his tender age, or the tears and intreaties of his father, detained him a prisoner for many years. This action, though detested by posterity, Elizabeth resolved now to imitate. Her virtue was not more proof than that of Henry had been, against the temptations of interest; and the possession of a present advantage was preferred to the prospect of future fame. The satisfaction which she felt in mortifying a rival, whose beauty and accomplishments she envied, had perhaps no less influence than political considerations,

† Anders. vol. iv. 56, 60.

... to this resolution. But at the same ... order to screen herself from the censure which ... conduct merited, and to make her treatment of the Scottish queen look like the effect of necessity rather than choice, she determined to put on the appearance of concern for her interest, and of deep sympathy with her sufferings.

With this view she instantly despatched lord Scroope, warden of the west marches, and sir Francis Knollys, her vice-chamberlain, to the queen of Scots, with letters full of expressions of kindness and condolence. But at the same time they had private instructions to watch all her motions, and to take care that she should not escape into her own kingdom*. On their arrival, Mary demanded a personal interview with the queen, that she might lay before her the injuries which she had suffered, and receive from her those friendly offices which she had been encouraged to expect. They answered, that it was with reluctance this honour was at present denied; that while she lay under the imputation of a crime so horrid as the murder of her husband, their mistress to whom she was so nearly allied, could not, without bringing a stain upon her own reputation, admit her into her presence; but as soon as she had cleared herself from that aspersion, they promised her a reception suitable to her dignity, and aid proportioned to her distress†.

Nothing could be more artful than this pretence; and it was the occasion of leading the queen of Scots into the snare in which Elizabeth and her ministers wished to entangle her. Mary expressed the utmost surprise at this unexpected manner of evading her request; but as she could not believe so many professions of friendship to be void of sincerity, she frankly offered to submit her cause to the cognizance of Elizabeth, and undertook to produce such proofs of her own innocence, and of the falsehood of the accusations brought against her, as should fully remove the scruples, and satisfy the delicacy of the English queen. This was

* Anders. vol. iv. 36, 70, 92. † Ibid. vol. iv. 8, 55.

the very point to which Elizabeth laboured to bring the matter. In consequence of this appeal of the Scottish queen, she became the umpire between her and her subjects, and foresaw that she would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve it in endless difficulties. In the mean time, she was furnished with a plausible reason for keeping her at a distance from court, and for refusing to contribute towards replacing her on the throne. As Mary's conduct had been extremely incautious, and the presumptions of her guilt were many and strong, it was not impossible her subjects might make good their charge against her; and if this should be the result of the inquiry, she would, thenceforth, cease to be the object of regard or of compassion, and the treating her with coldness and neglect would merit little censure. In a matter so dark and mysterious there was no probability that Mary could bring proofs of her innocence, so incontested, as to render the conduct of the English queen altogether culpable; and, perhaps, impatience under restraint, suspicion of Elizabeth's partiality, or the discovery of her artifices, might engage her in such cabals as would justify the using her with greater rigour.

Elizabeth early foresaw all those advantages which would arise from an inquiry into the conduct of the Scottish queen carried on under her direction. There was some danger, however, that Mary might discover her secret intentions too soon, and by receding from the offer which she had made, endeavour to disappoint them. But even in that event, she determined not to drop the inquiry, and had thought of several different expedients for carrying it on. The countess of Lennox, convinced that Mary was accessary to the murder of her son, and thirsting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's justice, and solicited her, with many tears, in her own name, and in her husband's, to bring the Scottish queen to a trial for that crime *. The pa-

* Camd. 412. Haynes, 469.

rents of the unhappy prince had a juſt right to prefer this accuſation; nor could ſhe, who was their neareſt kinſwoman, be condemned for liſtening to ſo equitable a demand. Beſides, as the Scottiſh nobles openly accuſed Mary of the ſame crime, and pretended to be able to confirm their charge by ſufficient proof, it would be no difficult matter to prevail on them to petition the queen of England to take cognizance of their proceedings againſt their ſovereign; and it was the opinion of the Engliſh council that it would be reaſonable to comply with the requeſt†. At the ſame time the obſolete claim of the ſuperiority of England over Scotland began to be talked of; and on that account it was pretended that the deciſion of the conteſt between Mary and her ſubjects belonged of right to Elizabeth‡. But though Elizabeth revolved all theſe expedients in her mind, and kept them in reſerve to be made uſe of as occaſion might require, ſhe wiſhed that the inquiry into Mary's conduct ſhould appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and ſo long as that appearance could be preſerved, none of the other expedients were to be employed.

When Mary conſented to ſubmit her cauſe to Elizabeth, ſhe was far from ſuſpecting that any bad conſequences could follow, or that any dangerous pretenſions could be founded on her offer. She expected that Elizabeth herſelf would receive and examine her defences‖; ſhe meant to conſider her as an equal, for whoſe ſatiſfaction ſhe was willing to explain any part of her conduct that was liable to cenſure, not to acknowledge her as a ſuperior, before whom ſhe was bound to plead her cauſe. But Elizabeth put a very different ſenſe on Mary's offer. She conſidered herſelf as choſen to be judge in the controverſy between the Scottiſh queen and her ſubjects, and began to act in that capacity. She propoſed to appoint commiſſioners to hear the pleadings of both parties, and wrote to the regent of Scotland to empower proper perſons

† Anderſ. vol. iv. 37. ‡ Ibid. ‖ Anderſ. vol. iv. 10.

to appear before them, in his name, and to produce what he could allege in vindication of his proceedings against his sovereign.

Mary had hitherto relied with unaccountable credulity on, Elizabeth's professions of regard, and expected that so many kind speeches would at last be accompanied with some suitable actions. But this proposal entirely undeceived her. She plainly perceived the artifice of Elizabeth's conduct, and saw what a diminution it would be to her own honour to appear on a level with her rebellious subjects, and to stand together with them at the bar of a superior and a judge. She retracted the offer which she had made, and which had been perverted to a purpose so contrary to her intention. She demanded with more earnestness than ever to be admitted into Elizabeth's presence; and wrote to her in a strain very different from what she had formerly used, and which fully discovers the grief and indignation that preyed on her heart. "In my present "situation," says she, "I neither will nor can reply "to the accusations of my subjects. I am ready, of "my own accord, and out of friendship to you, to sa-"tisfy your scruples, and to vindicate my own con-"duct. My subjects are not my equals; nor will I, "by submitting my cause to a judicial trial, ac-"knowledge them to be so. I fled into your "arms, as into those of my nearest relation and "most perfect friend. I did you honour, as I ima-"gined, in choosing you, preferably to any other "prince, to be the restorer of an injured queen. Was "it ever known that a prince was blamed for hearing "in person the complaints of those who appealed to "his justice against the false accusations of their ene-"mies? You admitted into your presence my bastard "brother, who had been guilty of rebellion; and you "deny me that honour! God forbid that I should be "the occasion of bringing any stain upon your repu-"tation! I expected that your manner of treating me "would have added lustre to it. Suffer me either to "implore the aid of other princes whose delicacy on "this head will be less, and their resentment of my

"wrongs greater; or let me receive from your hands "that assistance which it becomes you, more than any "other prince, to grant; and by that benefit bind me "to yourself in the indissoluble ties of gratitude§."

This letter somewhat disconcerted Elizabeth's plan, but did not divert her from the prosecution of it. She laid the matter before the privy council, and it was there determined, notwithstanding the intreaties and remonstrances of the Scottish queen, to go on with the inquiry into her conduct, and until that were finished, it was agreed that Elizabeth could not consistently with her own honour, or with the safety of her government, either give her the assistance which she demanded, or permit her to retire out of the kingdom. Lest she should have an opportunity of escaping, while she resided so near Scotland, it was thought advisable to remove her to some place at a greater distance from the borders*.

While the English court was occupied in these deliberations, the regent did not neglect to improve the victory at Langside. That event was of the utmost importance to him. It not only drove the queen herself out of the kingdom, but left her adherents dispersed, and without a leader, at his mercy. He seemed resolved, at first, to proceed against them with the utmost rigour. Six persons of some distinction, who had been taken prisoners in the battle, were tried and condemned to death as rebels against the king's government. They were led to the place of execution, but by the powerful intercession of Knox they obtained a pardon. Hamilton of Bothwellhaugh was one of the number, who lived to give both the regent and Knox reason to repent of this commendable act of lenity†.

Soon after the regent marched with an army, consisting of four thousand horse and one thousand foot, towards the west borders. The nobles in this part of the kingdom were all the queen's friends; but as they had not force sufficient to obstruct his progress, he must

§ Anders. vol. iv. part i. 94. * Id. ibid. 102.
† Cald. vol. ii. 99.

either have obliged them to submit to the king, or would have laid waste their lands with fire and sword. But Elizabeth, whose interest it was to keep Scotland in confusion, by preserving the balance between the two parties, and who was endeavouring to soothe the Scottish queen by gentle treatment, interposed at her desire. After keeping the field two weeks, the regent, in compliance to the English ambassador, dismissed his forces; and an expedition which might have proved fatal to his opponents, ended with a few acts of severity ‡.

The resolution of the English privy council, with regard to Mary's person, was soon carried into execution; and, without regarding her remonstrances or complaints, she was conducted to Bolton, a castle of lord Scroope's, on the borders of Yorkshire ¶. In this place, her correspondence with her friends in Scotland became more difficult, and any prospect of making her escape was entirely cut off. She now felt herself to be entirely in Elizabeth's power, and though treated as yet with the respect due to a queen, her real condition was that of a prisoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worst of all evils. While the remembrance of her late imprisonment was still lively, and the terror of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former proposition, that she would suffer the regent and his adherents to be called into England, and consent to their being heard in defence of their own conduct *. And on her part, she promised, whatever should be the issue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations, which were far from being unreasonable. Fear, impatience, despair, as well as this soothing promise, with which the proposition was accompanied, induced the Scottish queen to comply.

In order to persuade Elizabeth that she desired no-

‡ Cald. vol. ii. 99. ¶ Anders. vol. iv. 14. See Appendix, No. XXV. * Anders. iv. part i. p. 11, 12, &c. Haynes, 468, &c.

thing so much as to render the union betwixt them as close as possible, she shewed a disposition to relax somewhat in one point; with regard to which, during all her past and subsequent misfortunes, she was uniformly inflexible. She expressed a great veneration for the liturgy of the church of England; she was often present at religious worship, according to the rites of the reformed church; made choice of a protestant clergyman to be her chaplain; heard him preach against the errors of popery with attention and seeming pleasure; and discovered all the symptoms of an approaching conversion *. Such was Mary's known and bigotted attachment to the popish religion, that it is impossible to believe her sincere in this part of her conduct; nor can any thing mark more strongly the wretchedness of her condition, and the excess of her fears, than that they betrayed her into dissimulation, in a matter concerning which her sentiments were scrupulously delicate.

At this time the regent called a parliament, in order to proceed to the forfeiture of those who refused to acknowledge the king's authority. The queen's faction was alarmed, and Argyll and Huntly, whom Mary had appointed her lieutenants, the one in the south, and the other in the north of Scotland, began to assemble forces to obstruct this meeting. Compassion for the queen, and envy at those who governed in the king's name, had added so much strength to the party, that the regent would have found it difficult to withstand its efforts. But as Mary had submitted her cause to Elizabeth, she could not refuse, at her desire, to command her friends to lay down their arms, and to wait patiently until matters were brought to a decision in England. By procuring this cessation of arms, Elizabeth afforded as seasonable relief to the regent's faction as she had formerly given to the queen's †.

The regent, however, would not consent, even at Elizabeth's request, to put off the meeting of parliament §.

* And. vol. iv. part. i. 113. Haynes, 509. See Ap. No. XXVI. † And. vol. iv. 125. § See Ap. No. XXVII.

But we may ascribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one half of his countrymen from exterminating the other, any appearances of moderation which this parliament discovered in its proceedings. The most violent opponents of the king's government were forfeited; the rest were allowed still to hope for favour‡.

No sooner did the queen of Scots submit her cause to her rival, than Elizabeth required the regent to send to York deputies properly instructed for vindicating his conduct in presence of her commissioners. It was not without hesitation and anxiety that the regent consented to this measure. His authority was already established in Scotland, and confirmed by parliament. To suffer its validity now to be called in question, and subjected to a foreign jurisdiction, was extremely mortifying. To accuse his sovereign before strangers, the ancient enemies of the Scottish name, was an odious task. To fail in this accusation was dangerous; to succeed in it was disgraceful. He dreaded the interposition of the French king in its behalf. In his situation, and in a matter which Elizabeth had so much at heart, her commands were neither to be disputed nor disobeyed§.

The necessity of repairing in person to York added to the ignominy of the step which he was obliged to take. All his associates declined the office; they were unwilling to expose themselves to the odium and danger with which it was easy to foresee that the discharge of it would be attended, unless he himself consented to share these in common with them. The earl of Morton, Bothwell bishop of Orkney, Pitcairn commendator of Dunfermling, and lord Lindsay, were joined with him in commission. Macgill of Rankeilor, and Balnaves of Halhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whose genius did honour to the age, Maitland, and several others, were appointed to attend them as assistants. Maitland owed this distinction to the regent's fear, rather than to his affection,

‡ Buch. 371. § Buch. 372. See Append. No. XXVIII.

He had warmly remonstrated against this measure. He wished his country to continue in friendship with England, but not to become dependent on that nation. He was desirous of re-establishing the queen in some degree of power, not inconsistent with that which the king possessed; and the regent could not, with safety, leave behind him a man whose views were so contrary to his own, and who by his superior abilities, had acquired an influence in the nation, equal to that which others derived from the antiquity and power of their families*.

Mary empowered Lesly bishop of Ross, lord Livingston, lord Boyd, lord Herries, Gavin Hamilton commendator of Kilwinning, sir John Gordon of Lochinvar, and sir James Cockburn of Stirling, to appear in her name†.

Elizabeth nominated Thomas Howard duke of Norfolk, Thomas Ratcliff earl of Sussex, and sir Ralph Sadler, her commissioners to hear both parties.

The 4th of October, 1568, was the day fixed for opening the *conference*. The great abilities of the deputies on both sides, the dignity of the judges before whom they were to appear, the high rank of the persons whose cause was to be heard, and the importance of the points in dispute, rendered the whole transaction no less illustrious than it was singular. The situation in which Elizabeth appeared, on this occasion, strikes us with an air of magnificence. Her rival, an independent queen, and the heir of an ancient race of monarchs, was a prisoner in her hands, and appeared, by her ambassadors, before her tribunal. The regent of Scotland, who represented the majesty, and possessed the authority of a king, stood in person at her bar. And the fate of a kingdom, whose power her ancestors had often dreaded, but could never subdue, was now absolutely at her disposal.

The views, however, with which the several parties consented to this conference, and the issue to which they expected to bring it were extremely different.

Mary's chief object was the recovering of her former authority. This induced her to consent to a measure

* Buch. 371. Anders. vol. iv. 35. Melv. 186, 188.
† Anders. vol iv. 33.

against which she had long struggled. Elizabeth's promises gave her ground for entertaining hopes of being restored to her kingdom; in order to which, she would have willingly made many concessions to the king's party; and the influence of the English queen, as well as her own impatience under her present situation, might have led her to many more. The regent aimed at nothing but securing Elizabeth's protection to his party, and seems not to have had the most distant thoughts of coming to any composition with Mary. Elizabeth's views were more various, and her schemes more intricate. She seemed to be full of concern for Mary's honour, and solicitous that she should wipe off the aspersions which blemished her character. This she pretended to be the intention of the conference; amusing Mary, and eluding the solicitations of the French and Spanish ambassadors in her behalf, by repeated promises of assisting her, as soon as she could venture to do so without bringing disgrace upon herself. But, under this veil of friendship and generosity, Elizabeth concealed sentiments of a different nature. She expected that the regent would accuse Mary of being accessary to the murder of her husband. She encouraged him, as far as decency would permit, to take this desperate step†. And as this accusation might terminate in two different ways, she had concerted measures for her future conduct suitable to each of these. If the charge against Mary should appear to be well-founded, she resolved to pronounce her unworthy of wearing a crown, and to declare that she would never burden her own conscience with the guilt of an action so detestable as the restoring her to her kingdom‡. If it should happen, that what her accusers alleged did not amount to a proof of guilt, but only of mal-administration, she determined to set on foot a treaty for restoring her, but on such conditions as would render her forever dependent on England, and the slave of her own subjects§. As every step in the progress of

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‡ Anders. vol. iv. part ii. 33. † And. vol. iv. part ii. 11. 45. Haynes, 487. ‡ And. vol. iv. part. ii. 11. § Ib. 16.

the conference, as well as the final result of it, was in Elizabeth's own power, she would still be at liberty to chuse which of these courses she would hold; or if there appeared to be any danger or inconveniency in pursuing either of them, she might protract the whole cause by endless delays, and involve it in inextricable perplexity.

The conference, however, was opened with much solemnity. But the very first step discovered it to be Elizabeth's intention to inflame, rather than to extinguish, the dissensions and animosities among the Scots. No endeavours were used to reconcile the contending parties, or to mollify the fierceness of their hatred, by bringing the queen to offer pardon for what was past, or her subjects to promise more dutiful obedience for the future. On the contrary, Mary's commissioners were permitted to prefer a complaint against the regent and his party, containing an enumeration of their treasonable actions, of their seizing her person by force of arms, committing her to prison, compelling her to resign the crown, and making use of her son's name to colour their usurpation of the whole royal authority; and of all these enormities they required such speedy and effectual redress, as the injuries of one queen demanded from the justice of another*.

It was then expected that the regent would have disclosed all the circumstances of that unnatural crime to which he pretended the queen had been accessory, and would have produced evidence in support of his charge. But, far from accusing Mary, the regent did not even answer the complaints brought against himself. He discovered a reluctance at undertaking that office, and started many doubts and scruples, with regard to which he demanded to be resolved by Elizabeth herself†. His reserve and hesitation were no less surprising to the greater part of the English commissioners than to his own associates. They knew that he could not vindicate his own conduct without charging the murder upon the queen, and he had not hitherto shown any extraordinary delicacy on that head. An intrigue, however, had

* Anders. vol. iv. part. ii. 52. † Haynes, 478.

been ſecretly carried on, ſince his arrival at York, which explains this myſtery.

The duke of Norfolk was at that time the moſt powerful and moſt popular man in England. His wife was lately dead; and he began already to form a project, which he afterwards more openly avowed, of mounting the throne of Scotland, by a marriage with the queen of Scots. He ſaw the infamy which would be the conſequence of a public accuſation againſt Mary, and how prejudicial it might be to her pretenſions to the Engliſh ſucceſſion. In order to ſave her from this cruel mortification, he applied to Maitland, and expreſſed his aſtoniſhment at ſeeing a man of ſo much reputation for wiſdom concurring with the regent in a meaſure ſo diſhonourable to themſelves, to their queen, and to their country; ſubmitting the public tranſactions of the nation to the judgment of foreigners; and publiſhing the ignominy, and expoſing the faults of their ſovereign, which they were bound in good policy, as well as in duty, to conceal and to cover. It was eaſy for Maitland, whoſe ſentiments were the ſame with the duke's, to vindicate his own conduct. He aſſured him, that he had employed all his credit to diſſuade his countrymen from this meaſure, and would ſtill contribute to the utmoſt of his power to divert them from it. This encouraged Norfolk to communicate the matter to the regent. He repeated and enforced the ſame arguments which he had uſed with Maitland. He warned him of the danger to which he muſt expoſe himſelf by ſuch a violent action as the public accuſation of his ſovereign. Mary would never forgive a man who had endeavoured to fix ſuch a brand of infamy on her character. If ſhe ever recovered any degree of power, his deſtruction would be inevitable; and he would juſtly merit it at her hands. Nor would Elizabeth ſcreen him from this by a public approbation of his conduct. For whatever evidence of Mary's guilt he might produce, ſhe was reſolved to give no definitive ſentence in the cauſe. Let him only demand that the matter ſhould be brought to a deciſion immediately after hearing the proof, and he would be

fully convinced how falſe and inſidious her intentions were, and, by conſequence, how improper it would be for him to appear as the accuſer of his own ſovereign*. The candour which Norfolk ſeemed to diſcover in theſe remonſtrances, as well as the truth which they contained, made a deep impreſſion on the regent. He daily received the ſtrongeſt aſſurances of Mary's willingneſs to be reconciled to him, if he abſtained from accuſing her of ſuch an odious crime, together with the denunciations of her irreconcileable hatred, if he acted a contrary part†. All theſe conſiderations concurred in determining him to alter his purpoſe, and to make trial of the expedient which the duke had ſuggeſted.

He demanded therefore to be informed, before he proceeded farther, whether the Engliſh commiſſioners were empowered to declare the queen guilty by a judicial act; whether they would promiſe to paſs ſentence without delay; whether the queen ſhould be kept under ſuch reſtraint as to prevent her from diſturbing the government now eſtabliſhed in Scotland; and whether Elizabeth, if ſhe approved of the proceedings of the king's party, would engage to protect it for the future‡. The paper containing theſe demands was ſigned by himſelf alone, without communicating it to any of his attendants, except Maitland and Melvil§. Nothing could appear more natural than the regent's ſolicitude to know on what footing he ſtood. To have ventured on a ſtep ſo uncommon and dangerous, as the accuſing his ſovereign, without previouſly aſcertaining that he might take it with ſafety, would have been unpardonable imprudence. But Elizabeth, who did not expect that he would have moved any ſuch difficulty, had not empowered her commiſſioners to give him that ſatisfaction which he demanded. It became neceſſary to tranſmit the articles to herſelf, and by the light in which Norfolk placed them, it is eaſy to ſee that he wiſhed that they ſhould make no ſlight impreſſion on

* Melv. 187. Haynes, 573. † Anderſ. vol. iv. part ii. 77. Good. vol. ii. 157. See Append. No. XXIX.
‡ Anderſ. vol. iv. 55. § Anderſ. vol. iv. 56. Melv. 190.

Elizabeth and her ministers. "Think not the Scots," said he, "over-scrupulous or precise. Let us view their "conduct as we would wish our own to be viewed in "a like situation. The game they play is deep; their "estates, their lives, their honour are at stake. It is "now in their own power to be reconciled to their "queen, or to offend her irrecoverably; and in a mat- "ter of so much importance the utmost degree of cau- "tion is not excessive *."

While the English commissioners waited for fuller instructions with regard to the regent's demands, he gave in an answer to the complaint which had been offered in the name of the Scottish queen. It was expressed in terms perfectly conformable to the system which he had at that time adopted. It contained no insinuation of the queen's being accessory to the murder of her husband; the bitterness of style peculiar to the age was considerably abated; and though he pleaded, that the infamy of the marriage with Bothwell made it necessary to take arms in order to dissolve it; though Mary's attachment to a man so odious justified the keeping her for some time under restraint; yet nothing more was said on these subjects than was barely requisite in his own defence. The queen's commissioners did not fail to reply †. But while the article with regard to the murder remained untouched, these were only skirmishes at a distance, of no consequence towards ending the contest, and were little regarded by Elizabeth or her commissioners.

The conference had hitherto been conducted in a manner which disappointed Elizabeth's views, and produced none of those discoveries which she had expected. The distance between York and London, and the necessity of consulting her upon every difficulty which occurred, consumed much time. Norfolk's negotiation with the Scottish regent, however secretly carried on, was not, in all probability, unknown to a princess so remarkable for her sagacity in penetrating the designs of

* Anders. vol. iv. 77. † Anders. vol. iv. part ii. 64, 90.

her enemies, and ſeeing through their deepeſt ſchemes‡. Inſtead, therefore, of returning any anſwer to the regent's demands, ſhe reſolved to remove the conference to Weſtminſter, and to appoint new commiſſioners, in whom ſhe could more abſolutely confide. Both the Scottiſh queen and the regent were brought without difficulty to approve of this reſolution§.

We often find Mary boaſting of the ſuperiority of her commiſſioners during the conference at York, and how, by the ſtrength of their arguments, they confounded her adverſaries, and ſilenced all their cavils*. The diſpute ſtood, at that time, on a footing which rendered her victory not only apparent, but eaſy. Her participation of the guilt of the king's murder was the only circumſtance which could juſtify the violent proceedings of her ſubjects; and while they induſtriouſly avoided mentioning that, her cauſe gained as much as that of her adverſaries by ſuppreſſing this capital argument.

Elizabeth reſolved that Mary ſhould not enjoy the ſame advantage in the conference to be held at Weſtminſter. She deliberated with the utmoſt anxiety how ſhe might overcome the regent's ſcruples, and perſuade him to accuſe the queen. She conſidered of the moſt proper method for bringing Mary's commiſſioners to anſwer ſuch an accuſation; and as ſhe foreſaw that the promiſes with which it was neceſſary to allure the regent, and which it was impoſſible to conceal from the Scottiſh queen, would naturally exaſperate her to a great degree, ſhe determined to guard her more narrowly than ever; and though lord Scroop had given her no reaſon to diſtruſt his vigilance or fidelity, yet becauſe he was the duke of Norfolk's brother-in-law, ſhe thought it proper to remove the queen as ſoon as poſſible to Tutbury in Staffordſhire, and to commit her to the keeping of the earl of Shrewſbury, to whom that caſtle belonged†.

‡ Good. vol. ii. 160. Anderſ. vol. iii. 2[illegible]. § Haynes, 4. Anderſ. vol. iv. 94. * Good. [illegible] 186, 284, 350. † Haynes, 487.

Mary began to suspect the design of this second conference; and notwithstanding the satisfaction she expressed at seeing her cause taken more immediately under the queen's own eye ‡, she framed her instructions to her commissioners in such a manner as to avoid being brought under the necessity of answering the accusation of her subjects, if they should be so desperate as to exhibit one against her §. These suspicions were soon confirmed by a circumstance extremely mortifying. The regent having arrived at London, in order to be present at the conference, was immediately admitted into Elizabeth's presence, and received by her, not only with respect, but with affection. This Mary justly considered as an open declaration of that queen's partiality towards her adversaries. In the first emotions of her resentment, she wrote to her commissioners, and commanded them to complain, in the presence of the English nobles and before the ambassadors of foreign princes, of the usage she had hitherto met with, and the additional injuries which she had reason to apprehend. Her rebellious subjects were allowed access to the queen, she was excluded from her presence; they enjoyed full liberty, she languished under a long imprisonment; they were encouraged to accuse her, in defending herself she laboured under every disadvantage. For these reasons she once more renewed her demand of being admitted into the queen's presence: and if that were denied, she instructed them to declare, that she recalled the consent which she had given to the conference at Westminster, and protested that whatever was done there should be held to be null and invalid *.

This, perhaps, was the most prudent resolution Mary could have taken. The pretences on which she declined the conference were plausible, and the juncture for offering them well chosen. But either the queen's letter did not reach her commissioners in due time, or they suffered themselves to be deceived by Elizabeth's

‡ Anderf. vol. iv. 95. § Good. vol. ii. 349.

* Good. vol. ii. 184.

professions of regard for their mistress, and consented to the opening of the conference†.

To the commissioners who had appeared in her name at York, Elizabeth now added sir Nicholas Bacon, keeper of the great seal, the earls of Arundel and Leicester, lord Clinton, and sir William Cecil‡. The difficulties which obstructed the proceedings at York were quickly removed. A satisfying answer was given to the regent's demands; nor was he so much disposed to hesitate and raise objections as formerly. His negotiations with Norfolk had been discovered to Morton by some of Mary's attendants, and he had communicated it to Cecil§. His personal safety, as well as the continuance of his power, depended on Elizabeth. By favouring Mary, she might at any time ruin him; and by a question which she artfully started, concerning the person who had a right, by the law of Scotland, to govern the kingdom during a minority, she let him see, that, even without restoring the queen, it was an easy matter for her to deprive him of the supreme direction of affairs‖. These considerations, which were powerfully seconded by most of his attendants, at length determined the regent to produce his accusation against the queen.

He endeavoured to lessen the obloquy with which he was sensible this action would be attended, by protesting that it was with the utmost reluctance he undertook this disagreeable task; that his party had long suffered their conduct to be misconstrued, and had borne the worst imputations in silence, rather than expose the crimes of their sovereign to the eyes of strangers; but that now the insolence and importunity of the adverse faction forced them to publish what they had hitherto, though with loss to themselves, endeavoured to conceal*. These pretexts are decent; and had the party discovered any delicacy or reserve, with regard to the queen's actions, in the rest of their conduct, might

† Anders. vol. iii. 15. ‡ Id. vol. iv. part ii. 99. § Melv. 191. ‖ Haynes, 484. * Anders. vol. iv. part ii. 115.

have paſſed for the real principles by which they were influenced. But their former treatment of the queen renders it impoſſible to give any credit to theſe profeſſions. And the regent, it is plain, was drawn by the neceſſity of his affairs, and Elizabeth's artifices, into a ſituation, where no liberty of choice was left him; and was obliged either to acknowledge himſelf to be guilty of rebellion, or to charge Mary with having committed murder.

The accuſation itſelf was conceived in the ſtrongeſt terms. Mary was charged, not only with having conſented to the murder, but with being acceſſary to the contrivance and execution of it. Bothwell, it was pretended, had been ſcreened from the purſuits of juſtice by her favour; and ſhe had formed deſigns no leſs dangerous to the life of the young prince, than ſubverſive of the liberties and conſtitution of the kingdom. If any of theſe crimes ſhould be denied, an offer was made to produce the moſt ample and undoubted evidence in confirmation of the charge *.

At the next meeting of the commiſſioners, the earl of Lennox appeared before them; and after bewailing the tragical and unnatural murder of his ſon, he implored Elizabeth's juſtice againſt the queen of Scots, whom he accuſed upon oath of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the ſtage ſo opportunely, and at a juncture ſo critical, can ſcarce be imputed to chance. This contrivance was manifeſtly Elizabeth's, in order to increaſe, by this additional accuſation, the infamy of the Scottiſh queen †.

Mary's commiſſioners expreſſed the utmoſt ſurpriſe and indignation at the regent's preſumption, in loading the queen with calumnies which, as they affirmed, ſhe had ſo little merited. But, inſtead of attempting to vindicate her honour, by a reply to the charge, they had recourſe to an article in their inſtructions, which they had formerly neglected to mention in its proper place.

* Anderſ. vol. ii. part ii. 119. † Id. ibid. 222.

They demanded an audience of Elizabeth; and having renewed their miftrefs's requeft of a perfonal interview, they protefted, if that were denied her, againft all the future proceedings of the commiffioners†. A proteftation of this nature, offered juft at the critical time when fuch a bold accufation had been preferred againft Mary, and when the proofs in fupport of it were ready to be examined, gave reafon to fufpect that fhe dreaded the event of that examination. This fufpicion received the ftrongeft confirmation from another circumftance; Rofs and Herries, before they were introduced to Elizabeth, in order to make this proteftation, privately acquainted Leicefter and Cecil, that as their miftrefs had from the beginning difcovered an inclination towards bringing the differences between herfelf and her fubjects to an amicable accommodation, fo fhe was ftill defirous, notwithftanding the regent's audacious accufation, that they fhould be terminated in that manner||.

Such moderation is fcarce compatible with the ftrong refentment which calumniated innocence naturally feels, or with that eagernefs to vindicate itfelf which it always difcovers. In Mary's fituation, an offer fo ill-timed muft be confidered as a confeffion of the weaknefs of her caufe. The known character of her commiffioners, exempts them from the imputation of folly, or the fufpicion of treachery. Some fecret conviction, that the conduct of their miftrefs could not bear fo ftrict a fcrutiny as muft be made into it, feems to be the moft probable motive of this imprudent propofal by which they endeavoured to avoid it.

It appeared in this light to Elizabeth, and afforded her a pretence for rejecting it. She told Mary's commiffioners, that in the prefent juncture nothing could be fo difhonourable to their miftrefs as an accommodation; and that the matter would feem to be huddled up in this manner, merely to fupprefs difcoveries, and to hide their fhame; nor was it poffible that fhe could be

† Id. ibid. 133, 158. &c.

|| Anderfon, vol. iv. part ii. 134. Cabbala, 157.

admitted with any decency into her presence, while she lay under the infamy of such a public accusation.

Upon this repulse, Mary's commissioners withdrew; and as they had declined answering, there seemed now to be no further reason for the regent's producing the proofs in support of his charge. But without getting these into her hands, Elizabeth's schemes were incomplete; and her artifice for this purpose was as mean, but as successful, as any she had hitherto employed. She commanded her commissioners to testify her indignation and displeasure at the regent's presumption, in forgetting so far the duty of a subject as to accuse his sovereign of such atrocious crimes. He, in order to regain the good opinion of such a powerful protectress, offered to shew that his accusations were not malicious nor ill grounded. Then were produced and delivered to the English commissioners the acts of the Scottish parliament in confirmation of the regent's authority, and of the queen's resignation; the confessions of the persons executed for the king's murder; and the fatal casket which contained the letters, sonnets, and contracts, that have been already mentioned.

Elizabeth, having got these into her possession, began to lay aside the expressions of friendship and respect which she had hitherto used in all her letters to the Scottish queen. She now wrote to her in such terms, as if the presumptions of her guilt had amounted almost to certainty; she blamed her for refusing to vindicate herself from an accusation which could not be left unanswered, without a manifest injury to her character; and plainly intimated, that unless that were done, no change would be made in her present situation §. She hoped that such a discovery of her sentiments would intimidate Mary, who was scarce recovered from the shock of the regent's attack on her reputation, and force her to confirm her resignation of the crown, to ratify Murray's authority as regent, and to consent that both herself and her son should reside in England, under English protec-

§ Anders. vol. iv. 179, 183. Good. vol. ii. 260.

tion. This ſcheme Elizabeth had much at heart; ſhe propoſed it both to Mary and to her commiſſioners, and neglected no argument nor artifice, that could poſſibly recommend it. Mary ſaw how fatal this would prove to her reputation, to her pretenſions, and even to her perſonal ſafety. She rejected it without heſitation. "Death," ſaid ſhe, "is leſs dreadful than ſuch an ignominious ſtep. Rather than give away, with my own hands, the crown which deſcended to me from my anceſtors, I will part with life; but the laſt words I utter, ſhall be thoſe of a queen of Scotland*."

At the ſame time ſhe ſeems to have been ſenſible how open her reputation lay to cenſure, while ſhe ſuffered ſuch a public accuſation to remain unanſwered; and though the conference was now diſſolved, ſhe empowered her commiſſioners to preſent a reply to the allegations of her enemies, in which ſhe denied, in the ſtrongeſt terms, the crimes imputed to her; and recriminated upon the regent and his party, by accuſing them of having deviſed and executed the murder of the king†. The regent and his aſſociates aſſerted their innocence with great warmth. Mary continued to inſiſt on a perſonal interview, a condition which ſhe knew would never be granted §. Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evaſions, and ſubterfuges to which both queens had recourſe by turns, that Mary avoided, and Elizabeth did not deſire to make any further progreſs in the inquiry.

The regent was now impatient to return into Scotland, while his adverſaries were endeavouring, in his abſence, to raiſe ſome commotions. Before he ſet out, he was called into the privy council, to receive a final declaration of Elizabeth's ſentiments. Cecil acquainted him, in her name, that on one hand nothing had been objected to his conduct, which ſhe could reckon detrimental to his honour, or inconſiſtent with his duty; nor had he, on the other hand, produced any thing againſt

* Haynes, 497. See App. No. XXX. Good. vol. ii. 274, 301.

† Good. ii. 285. § Ibid. 28[illegible]. Cabbala, 157.

his sovereign, on which she could found an unfavourable opinion of her actions; and for this reason she resolved to leave all the affairs of Scotland precisely in the same situation in which she had found them at the beginning of the conference. The queen's commissioners were dismissed much in the same manner*.

After the attention of both nations had been fixed so earnestly on this conference upwards of four months, such a conclusion of the whole appears at first sight trifling and ridiculous. Nothing, however, could be more favourable to Elizabeth's future schemes. Notwithstanding her seeming impartiality, she had no thoughts of continuing neuter; nor was she at any loss on whom to bestow her protection. Before the regent left London, she supplied him with a considerable sum of money, and engaged to support the king's authority to the utmost of her power†. Mary, by her own conduct, fortified this resolution. Enraged at the repeated instances of Elizabeth's artifice and deceit, which she had discovered during the progress of the conference, and despairing of ever obtaining any succour from her, she endeavoured to rouse her own adherents in Scotland to arms, by imputing such designs to Elizabeth and Murray as could not fail to inspire every Scotsman with indignation. Murray, she pretended, had agreed to convey the prince her son into England; to surrender to Elizabeth the places of greatest strength in the kingdom; and to acknowledge the dependence of the Scottish upon the English nation. In return for this, he was to be declared the lawful heir of the crown of Scotland; and at the same time the question with regard to the English succession was to be decided in favour of the earl of Hartford, who had promised to marry one of Cecil's daughters. An account of these wild and chimerical projects was spread industriously among the Scots. Elizabeth, perceiving it was calculated of purpose to bring her government into disreputation, laboured to destroy its ef-

* Good. ii. 313, 333. † Ibid. 213. Carte, iii. 478.

fects, by a counter-proclamation, and became more disgusted than ever with the Scottish queen*.

The regent, on his return, found the kingdom in the utmost tranquillity. But the rage of the queen's adherents, which had been suspended in expectation that the conference in England would terminate to her advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader whose high quality and pretensions entitled him to great authority in the nation. This was the duke of Chatelherault, who had resided for some years in France, and was now sent over by that court with a small supply of money, in hopes that the presence of the first nobleman in the kingdom would strengthen the queen's party. Elizabeth had detained him in England, for some months, under various pretences, but was obliged at last to suffer him to proceed on his journey. Before his departure, Mary invested him with the high dignity of her lieutenant-general in Scotland, together with the fantastic title of her adopted father.

The regent did not give him time to form his party into any regular body. He assembled an army with his usual expedition, and marched to Glasgow. The followers of Argyle and Huntly, who composed the chief part of the queen's faction, lying in very distant corners of the kingdom, and many of the duke's dependents having fallen or been taken in the battle of Langside, the spirit and strength of his adherents was totally broken, and an accommodation with the regent was the only thing which could prevent the destruction of his estate and vassals. This was effected without difficulty, and on no unreasonable terms. The duke promised to acknowledge the authority both of the king and of the regent; and to claim no jurisdiction in consequence of the commission which he had received from the queen. The regent bound himself to repeal the act which had passed for attainting several of the queen's adherents; to restore all who would submit to the king's government to the possession of their estates and honours; and

* Haynes, 500, 503. See Append. No. XXXI.

to hold a convention, wherein all the differences between the two parties should be settled by mutual consent. The duke gave hostages for his faithful performance of the treaty; and, in token of their sincerity, he and lord Herries accompanied the regent to Stirling, and visited the young king. The regent set at liberty the prisoners taken at Langside *.

Argyll and Huntly refused to be included in this treaty. A secret negotiation was carrying on in England, in favour of the captive queen, with so much success, that her affairs began to wear a better aspect, and her return into her own kingdom seemed to be an event not very distant. The French king had lately obtained such advantages over the hugonots, that the extinction of that party appeared to be inevitable; and France, by recovering domestic tranquillity, would be no longer prevented from protecting her friends in Britain. These circumstances not only influenced Argyll and Huntly, but made so deep an impression on the duke, that he appeared to be wavering and irresolute, and plainly discovered that he wished to evade the accomplishment of the treaty. The regent saw the danger of allowing the duke to shake himself loose, in this manner, from his engagements, and instantly formed a resolution equally bold and politic. He command his guards to seize Chatelherault in his own house in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardless either of his dignity as the first nobleman in the kingdom, and next heir to the crown, or of the promises of personal security, on which he had relied, committed him and lord Herries prisoners to the castle of Edinburgh †. A blow so fatal and unexpected dispirited the party. Argyll submitted to the king's government, and made his peace with the regent on very easy terms; and Huntly being left alone, was at last obliged to lay down his arms.

* Cabbala, 161. Crawf. Mem. 106. † Crawf. Mem. 111. Melv. 202.

Soon after, lord Boyd returned into Scotland, and brought letters to the regent, both from the English and Scottish queens. A convention was held at Perth, in order to consider them. Elizabeth's letter contained three different proposals with regard to Mary; that she should either be restored to the full possession of her former authority; or be admitted to reign jointly with the king her son; or at least be allowed to reside in Scotland in some decent retirement, without any share in the administration of government. These overtures were extorted by the importunity of Fenelon the French ambassador, and have some appearance of being favourable to the captive queen. They were, however perfectly suitable to Elizabeth's general system with regard to Scottish affairs. Among propositions so unequal and disproportionate, she easily saw where the choice would fall. The two former were rejected; and long delays must necessarily have intervened, and many difficulties have arisen, before every circumstance relative to the last could be finally adjusted*.

Mary, in her letter, demanded that her marriage with Bothwell should be reviewed by the proper judges; and if found invalid, should be dissolved by a legal sentence of divorce. This fatal marriage was the principal source of all the calamities she had endured for two years; a divorce was the only thing which could repair the injuries her reputation had suffered by that step. It was her interest to have proposed it early; and it is not easy to account for her long silence with respect to this point. Her particular motive for proposing it at this time began to be so well known, that the demand was rejected by the convention of estates. They imputed it not so much to any abhorrence of Bothwell, as to her eagerness to conclude a marriage with the duke of Norfolk.

This marriage was the object of that secret negotiation in England which we have already mentioned. The fertile and projecting genius of Maitland first conceived this scheme. During the conference at York

* Spotswood, 230.

he communicated it to the duke himſelf, and to the biſhop of Roſs. The former readily cloſed with a ſcheme ſo flattering to his ambition. The latter conſidered it as a probable device for reſtoring his miſtreſs to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correſpondence by means of his ſiſter lady Scroop, averſe from a meaſure, which would have reſtored her to her kingdom with ſo much ſplendour *. The ſudden removal of the conference from York to Weſtminſter ſuſpended, but did not break off this intrigue. Maitland and Roſs were ſtill the duke's prompters, and his agents; and many letters and love tokens were exchanged between him and the queen of Scots.

But as he could not hope that under an adminiſtration ſo vigilant as Elizabeth's, ſuch an intrigue could be kept long concealed, he attempted to deceive her by the appearance of openneſs and candour, and artifice which ſeldom fails of ſucceſs. He mentioned to her the rumour which was ſpread of his marriage with the Scottiſh queen; he complained of it as a groundleſs calumny; and diſclaimed all thoughts of that kind, with many expreſſions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the queen of Scots, ſhe ſeems to have credited theſe profeſſions †. But inſtead of diſcontinuing the negotiation, he renewed it with greater vigour, and admitted into it new aſſociates. Among theſe was the regent of Scotland. He had given great offence to Norfolk, by his public accuſation of the queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the duke in the north of England was great. The earls of Northumberland and Weſtmoreland, the moſt powerful noblemen in that part of the kingdom, threatened to revenge upon the regent the injuries which he had done his ſovereign. In order to ſecure his ſafe retreat he addreſſed himſelf to Norfolk,

* Camd. 419. Haynes, 573. State Trials, i. 73.
† Haynes, 574. State Trials, i. 79, 80.

and after ſome apology for his paſt conduct, he inſinuated that the duke's ſcheme of marrying the queen his ſiſter was no leſs acceptable to him than beneficial to both kingdoms; and that he would concur with the utmoſt ardour in promoting ſo deſirable an event. Norfolk heard him with the credulity natural to thoſe who are paſſionately bent upon any deſign. He wrote to the two earls to deſiſt from any hoſtile attempt againſt Murray; and to that he owed his paſſage through the northern counties without diſturbance.

Encouraged by his ſucceſs in gaining the regent, he next attempted to draw the Engliſh nobles to approve his deſign. The nation began to deſpair of Elizabeth's marrying. Her jealouſy kept the queſtion with regard to the right of ſucceſſion undecided. The memory of the civil wars, which had deſolated England for more than a century, on account of the diſputed titles of the houſes of York and Lancaſter, was ſtill recent. Almoſt the whole ancient nobility had periſhed, and the nation itſelf had been brought to the brink of deſtruction in that unhappy conteſt. The Scottiſh queen, though her right of ſucceſſion was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a popiſh prince, and bring both liberty and religion into danger. But, by marrying her to an Engliſhman, a zealous proteſtant, the moſt powerful and moſt univerſally beloved of all the nobles, an effectual remedy ſeemed to be provided againſt all theſe evils. The greater part of the peers, either directly or tacitly, approved of it, as a ſalutary project. The earls of Arundel, Pembroke, Leiceſter, and lord Lumley, ſubſcribed a letter to the Scottiſh queen, written with Leiceſter's hand, in which they warmly recommended the match, but inſiſted, by way of preliminary, on Mary's promiſe, that ſhe ſhould attempt nothing, in conſequence of her pretenſions to the Engliſh crown, prejudicial to Elizabeth, or to her poſterity; that ſhe ſhould conſent to a league, offenſive and defenſive, between the two kingdoms; that ſhe ſhould confirm the preſent eſtabliſhment of religion in Scotland; and receive into favour ſuch of her ſub-

jects as had appeared in arms againſt her. Upon her agreeing to the marriage and ratifying theſe articles, they engaged that the Engliſh nobles would not only concur in reſtoring her immediately to her own throne, but in ſecuring to her that of England in reverſion. Mary readily conſented to all theſe propoſals, except the ſecond, with regard to which ſhe demanded ſome time for conſulting her ancient ally the French king ¶.

The whole of this negotiation was induſtriouſly concealed from Elizabeth. Her jealouſy of the Scottiſh queen was well known, nor could it be expected that ſhe would willingly come into a meaſure, which tended ſo viſibly to ſave the reputation, and to increaſe the power of her rival. But in a matter of ſo much conſequence to the nation, the taking a few ſteps without her knowledge could ſcarce be reckoned criminal; and while every perſon concerned, even Mary and Norfolk themſelves, declared that nothing ſhould be concluded without obtaining her conſent, the duty and allegiance of ſubjects ſeemed to be fully preſerved. The greater part of the nobles regarded the matter in this light. Thoſe who conducted the intrigue had farther and more dangerous views. They ſaw the advantages which Mary procured by this treaty, to be preſent and certain; and the execution of the promiſes which ſhe came under, to be diſtant and uncertain. They had early communicated their ſcheme to the kings of France and Spain, and obtained their approbation *. A treaty concerning which they conſulted foreign princes, while they concealed it from their own ſovereign, could not be deemed innocent. They hoped, however, that the union of ſo many nobles would render it neceſſary for Elizabeth to comply; they flattered themſelves that a combination ſo ſtrong would be altogether irreſiſtable; and ſuch was their confidence of ſucceſs, that when a plan was concerted in the north of England for reſcuing Mary out of the hands of her keepers, Norfolk, who was afraid, that if ſhe recovered liberty, her ſenti-

¶ Anderſon, vol. ii. 51. Camd. 420.
* Anderſ. vol. iii. 63.

ments in his favour might change, ufed all his intereft to diffuade the confpirators from attempting it ||.

In this fituation did the affair remain when lord Boyd arrived from England; and, befides the letters which he produced publicly, brought others in cypher from Norfolk and Throkmorton to the regent and to Maitland. Thefe were full of the moft fanguine hopes. The whole noble of England concurred, faid they, in favouring the defign. Every preliminary was adjufted; nor was it poffible that a fcheme fo deep laid, conducted with fo much art, and fupported both by power and by numbers, could mifcarry, or be defeated in the execution. Nothing now was wanting but the concluding ceremony. It depended on the regent to haften that, by procuring a fentence of divorce, which would remove the only obftacle that ftood in the way. This was expected of him, in confequence of his promife to Norfolk; and if he regarded either his intereft or his fame, or even his fafety, he would not fail to fulfil thefe engagements †.

But the regent was now in very different circumftances from thofe which had formerly induced him to affect an approbation of Norfolk's fchemes. He faw that the downfal of his own power muft be the firft confequence of the duke's fuccefs; and if the queen, who confidered him as the chief author of all her misfortunes, fhould recover her ancient authority, he could never expect favour, nor fcarce hope for impunity. No wonder he declined a ftep fo fatal to himfelf, and which would have eftablifhed the grandeur of another on the ruins of his own. This refufal occafioned a delay. But, as every other circumftance was fettled, the bifhop of Rofs, in the name of his miftrefs, and the duke, in perfon, declared, in prefence of the French ambaffador, their mutual confent to the marriage, and a contract to this purpofe was figned, and intrufted to the keeping of the ambaffador *.

The intrigue was now in fo many hands, that it

|| Camd. 420. † Haynes, 520. Spotfw. 230. See Append. No. XXXII. * Carte, vol. iii. 486.

could not long remain a secret. It began to be whispered at court; and Elizabeth calling the duke into her presence, expressed the utmost indignation at his conduct, and charged him to lay aside all thoughts of prosecuting such a dangerous design. Soon after Leicester, who perhaps countenanced the project with no other intention, revealed the whole circumstances of it to the queen. Pembroke, Arundel, Lumley, and Throkmorton, were confined and examined. Mary was watched more narrowly than ever; and Hastings earl of Huntingdon, who pretended to dispute with the Scottish queen her right to the succession, being joined in commission with Shrewsbury, rendered her imprisonment more intolerable, by the excess of his vigilance and rigour †. The Scottish regent, threatened with Elizabeth's displeasure, meanly betrayed the duke; put his letters into her hands, and furnished all the intelligence in his power ‡. The duke himself retired first to Howard-house, and then, in contempt of the summons to appear before the privy council, fled to his seat in Norfolk. Intimidated by the imprisonment of his associates; coldly received by his friends in that country; unprepared for a rebellion; and unwilling perhaps to rebel, he hesitated for some days, and at last obeyed a second call, and repaired to Windsor. He was first kept as a prisoner in a private house, and then sent to the Tower. After being confined there upwards of nine months, he was released upon his humble submission to Elizabeth, giving her a promise, on his allegiance, to hold no farther correspondence with the queen of Scots §. During the progress of Norfolk's negotiations, the queen's partisans in Scotland, who made no doubt of their issuing in her restoration to the throne, with an increase of authority, were wonderfully elevated. Maitland was the soul of that party, and the person whose activity and ability the regent chiefly dreaded. He had laid the plan of that intrigue which had kindled such combustion in England.

† Haynes, 525, 526, 530, 532.
‡ See Append. No. XXXIII. § Haynes, 525, 597.

He continued to foment the ſpirit of diſſatisfaction in Scotland, and had ſeduced from the regent lord Home, Kirkaldy, and ſeveral of his former aſſociates. While he enjoyed liberty, the regent could not reckon his own power ſecure. For this reaſon, he employed captain Crawford, one of his creatures, to accuſe him of being acceſſory to the murder of the king; and under that pretence carried him a priſoner to Edinburgh. He would ſoon have been brought to trial, but was ſaved by the friendſhip of Kirkaldy, governor of the caſtle, who by pretending a warrant for that purpoſe from the regent, got him out of the hands of the perſon to whoſe care he was committed, and conducted him into the caſtle, which from that time was entirely under Maitland's command. The loſs of a place of ſo much importance, and the defection of a man ſo eminent for military ſkill as Kirkaldy, brought the regent into ſome diſreputation, for which, however, the ſucceſs of his ally Elizabeth abundantly compenſated.

The intrigue carried on for reſtoring the Scottiſh queen to liberty having been diſcovered and diſappointed, an attempt was made to the ſame purpoſe by force of arms; but of no better ſucceſs. The earls of Northumberland and Weſtmoreland, though little diſtinguiſhed by their perſonal merit, were two of the moſt ancient and powerful of the Engliſh peers. Their eſtates in the northern counties were great, and they poſſeſſed that influence over the inhabitants which was hereditary in the popular and martial families of Percy and of Nevil. They were both attached to the popiſh religion, and diſcontented with the court, where new men and a new ſyſtem prevailed. Ever ſince Mary's arrival in England, they had warmly eſpouſed her intereſt; and zeal for popery, oppoſition to the court, commiſeration of her ſufferings, had engaged them in different plots for her relief. Notwithſtanding the vigilance of her keepers, they held a cloſe correſpondence with her, and communicated to her all their deſigns *. They were privy to Norfolk's ſchemes; but the cau-

* Haynes, 595.

tion with which he proceeded did not ſuit their ardour and impetuoſity. The liberty of the Scottiſh queen was not their ſole object. They aimed at bringing about a change in the religion, and a revolution in the government of the kingdom. For this reaſon they ſolicited the aid of the king of Spain, the avowed and zealous patron of popery in that age. Nothing could be more delightful to the reſtleſs ſpirit of Philip, or more neceſſary towards facilitating his ſchemes in the Netherlands, than the involving England in the confuſion and miſeries of a civil war. The duke of Alva, by his direction, encouraged the two earls, and promiſed, as ſoon as they either took the field with their forces, or ſurpriſed any place of ſtrength, or reſcued the queen of Scots, that he would ſupply them both with money and a ſtrong body of troops. La Mothe, the governor of Dunkirk, in the diſguiſe of a ſailor, ſounded the ports where it would be moſt proper to land. And Chiapini Vitelli, one of Alva's ableſt officers, was deſpatched into England, on pretence of ſettling ſome commercial differences between the two nations; but in reality that the rebels might be ſure of a leader of experience, ſo ſoon as they ventured to take arms*.

The conduct of this negotiation occaſioned many meetings and meſſages between the two earls. Elizabeth was informed of theſe; and though ſhe ſuſpected nothing of their real deſign, ſhe concluded that they were among the number of Norfolk's confidents. They were ſummoned, for this reaſon, to repair to court. Conſcious of guilt, and afraid of diſcovery, they delayed giving obedience. A ſecond, and more peremptory order was iſſued. This they could not decline, without ſhaking off their allegiance; and as no time was left for deliberation, they inſtantly erected their ſtandard againſt their ſovereign. The re-eſtabliſhing the catholic religion; the ſettling the order of ſucceſſion to the crown; the defence of the ancient nobility;

* Carte, vol. iii. 489, 490. Camd. 421.

were the motives which they alleged to justify their rebellion ‡. Many of the lower people flocked to them with such arms as they could procure; and had the capacity of their leaders been in any degree equal to the enterprise, it must have soon grown to be extremely formidable. Elizabeth acted with prudence and vigour; and was served by her subjects with fidelity and ardour. On the first rumour of an insurrection, Mary was removed to Coventry, a place of strength which could not be taken without a regular siege: a detachment of the rebels, which was sent to rescue her, returned without success. Troops were assembled in different parts of the kingdom; as they advanced, the malecontents retired. In their retreat their numbers dwindled away, and their spirits sunk. Despair, and uncertainty whither to direct their flight, kept together for some time a small body of them among the mountains of Northumberland; but they were at length obliged to disperse, and the chiefs took refuge among the Scottish borderers. The two earls, together with the countess of Northumberland, wandering for some days in the wastes of Liddisdale, were plundered by the banditti, exposed to the rigour of the season, and left destitute of the necessaries of life. Westmoreland was concealed by Scot of Buccleugh and Ker of Ferniherst, and afterwards conveyed into the Netherlands. Northumberland was seized by the regent, who had marched with some troops towards the borders, to prevent any impression the rebels might make on those mutinous provinces*.

Amidst so many surprising events, the affairs of the church, for two years, have almost escaped our notice. Its general assemblies were held regularly; but no business of much importance employed their attention. As the number of the protestant clergy daily increased, the deficiency of the funds set apart for their subsistence became greater, and was more sensibly felt. Many efforts were made towards recovering the ancient patrimony of the church, or at least as much of it as was

‡ Strype, vol. i. 547. * Cabbala, 171. Camb. 422.

possessed by the popish incumbents, a race of men who were now not only useless but burdensome to the nation. But though the manner in which the regent received their addresses and complaints was very different from that to which they had been accustomed, no effectual remedy was provided: and while they suffered intolerable oppression, and groaned under the most extreme poverty, fair words and liberal promises, were all they were able to obtain ¶.

Elizabeth now began to be weary of keeping such a dangerous prisoner as the queen of Scots. During the former year, the tranquillity of her government had been disturbed, first by a secret combination of some of her nobles, then by the rebellion of others; and she often declared, not without reason, that Mary was the *hidden cause* of both. Many of her own subjects favoured or pitied the captive queen; the Roman catholic princes on the continent were warmly interested in her cause. The detaining her any longer in England, she foresaw, would be made the pretext or occasion of perpetual cabals and insurrections among the former; and might expose her to the hostile attempts of the latter. She resolved, therefore, to give up Mary into the hands of the regent, whose security, no less than her own, depended on preventing Mary from re-ascending the throne. The negotiation for this purpose was carried some length, when it was discovered by the vigilance of the bishop of Ross, who, together with the French and Spanish ambassadors, remonstrated against the infamy of such an action, and represented the surrendering the queen to her rebellious subjects to be the same thing as if Elizabeth should, by her own authority, condemn her to instant death. This procured a delay; and the murder of the regent prevented the revival of that design §.

Hamilton of Bothwellhaugh was the person who committed this barbarous action. He had been con-

¶ Cald. vol. ii. 80, &c.

§ Carte, vol. iii. 491. Anders. vol. iii. 84.

demned to death soon after the battle of Langside, as we have already related, and owed his life to the regent's clemency. But part of his estate had been bestowed upon one of the regent's favourites, who seized his house, and turned out his wife naked, in a cold night, into the open fields, where, before next morning she became furiously mad. This injury made a deeper impression upon him than the benefit which he had received, and from that moment he vowed to be revenged upon the regent. Party-rage strengthened and inflamed his private resentment. His kinsmen the Hamiltons applauded the enterprise. The maxims of that age justified the most desperate course which he could take to obtain vengeance. He followed the regent for some time, and watched for an opportunity to strike the blow. He resolved at last to wait till his enemy should arrive at Linlithgow, through which he was to pass in his way from Stirling to Edinburgh. He took his stand in a wooden gallery, which had a window towards the street; spread a feather-bed on the floor, to hinder the noise of his feet from being heard; hung up a black cloth behind him, that his shadow might not be observed from without; and after all his preparation, calmly expected the regent's approach, who had lodged during the night in a house not far distant. Some indistinct information of the danger which threatened him had been conveyed to the regent, and he paid so much regard to it, that he resolved to return by the same gate through which he had entered, and to fetch a compass round the town. But as the crowd about the gate was great, and he himself unacquainted with fear, he proceeded directly along the street; and the throng of the people obliging him to move very slowly, gave the assassin time to take so true an aim, that he shot him with a single bullet through the lower part of his belly, and killed the horse of a gentleman who rode on his other side. His followers instantly endeavoured to break into the house whence the blow had come, but they found the door strongly barricaded; and before it could be forced open, Hamilton had mounted a fleet horse, which stood ready for him

at a back-passage, and was got far beyond their reach. The regent died the same night of his wound *.

There is no person in that age about whom historians have been more divided, or whose character has been drawn with such opposite colours. Personal intrepidity, military skill, sagacity, and vigour in the administration of civil affairs, are virtues, which even his enemies allow him to have possessed in an eminent degree. His moral qualities are more dubious, and ought neither to be praised nor censured without great reserve, and many distinctions. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning, which, among martial nobles, was either unknown, or despised. Zealous for religion, to a degree which distinguished him, even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only to his liberality towards them, which knew no bounds. A disinterested passion for the liberty of his country prompted him to oppose the pernicious system which the princes of Lorrain had obliged the queen-mother to pursue. On Mary's return into Scotland, he served her with a zeal and affection to which he sacrificed the friendship of those who were most attached to his person. But, on the other hand, his ambition was immoderate; and events happened that opened to him vast projects, which allured his enterprising genius, and led him to actions inconsistent with the duty of a subject. His treatment of the queen, to whose bounty he was so much indebted, was unbrotherly and ungrateful. The dependence on Elizabeth, under which he brought Scotland, was disgraceful to the nation. He deceived and betrayed Norfolk with a baseness unworthy a man of honour. His elevation to such unexpected dignity inspired him with new passions, with haughtiness and reserve; and instead of his natural manner, which was blunt and open, he affected the arts of dissimulation and refinement. Fond, towards the end of his life, of flat-

* Buchan. 385. Crawf. Mem. 124.

tery, and impatient of advice, his creatures, by ſoothing his vanity, led him aſtray, while his ancient friends ſtood at a diſtance, and predicted his approaching fall. But amidſt the turbulence and confuſion of that factious period, he diſpenſed juſtice with ſo much impartiality, he repreſſed the licentious borderers with ſo much courage, and eſtabliſhed ſuch uncommon order and tranquillity in the country, that his adminiſtration was extremely popular, and he was long and affectionately remembered among the commons by the name of the *Good Regent*.

THE HISTORY OF SCOTLAND.

BOOK SIXTH.†

CONTENTS.

Consequence of Murray's death. Lennox elected Regent. Artifices of Elizabeth. Dumbarton castle surprised by the Regent. Archbishop of St. Andrews executed. Two Parliaments. State of factions. Regent surprised and killed at Stirling. Mar succeeds him. Proceedings in England against Queen Mary. Norfolk's conspiracy. Discovered by Elizabeth. League between England and France. Massacre at Paris. Death of the Regent Mar. Morton Regent. Affairs of the Church. Death and character of Knox. A treaty between the factions. Siege and surrender of Edinburgh castle. Execution of Kirkaldy the Governor. Odious tyranny of Morton. James. A plot against the Regent. His resignation. Farther commotions. Fall of Morton. His trial and execution. Conspiracy of the nobles. James seized. His escape. The Clergy favour the Conspirators. A Parliament. Severe laws against the Church.

THE unexpected blow, by which the regent fell, struck the king's party with the utmost consternation. Elizabeth bewailed his death as the most fatal disaster which could have befallen her kingdom; and was inconsolable to a degree that little suited her dignity. Mary's adherents exulted, as if now her restoration were not only certain, but near at hand. The infamy of the crime

† The references to the Appendix again commence with No. I.

naturally fell on thoſe who expreſſed ſuch indecent joy at the commiſſion of it; and as the aſſaſſin made his eſcape on a horſe which belonged to lord Claud Hamilton, and fled directly to Hamilton, where he was received in triumph, it was concluded that the regent had fallen a ſacrifice to the reſentment of the queen's party, rather than to the revenge of a private man. On the day after the murder, Scott of Buccleugh, and Ker of Ferniherſt, both zealous abettors of the queen's cauſe, entered England in an hoſtile manner, and plundered and burnt the country, the inhabitants of which expected no ſuch outrage. If the regent had been alive, they would ſcarce have ventured on ſuch an irregular incurſion; nor could it well have happened ſo ſoon after his death, unleſs they had been privy to the crime.

This was not the only irregularity to which the anarchy that followed the regent's death gave occaſion. During ſuch general confuſion, men hoped for univerſal impunity, and broke out into exceſſes of every kind. As it was impoſſible to reſtrain theſe without a ſettled form of government, a convention of the nobles was held, in order to deliberate concerning the election of a regent. The queen's adherents refuſed to be preſent at the meeting, and proteſted againſt its proceedings. The king's own party was irreſolute and divided in opinion. Maitland, whom Kirkaldy had ſet at liberty, and who obtained from the nobles then aſſembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by propoſing to admit the queen to the joint adminiſtration of government with her ſon. Elizabeth, adhering to her old ſyſtem with regard to Scottiſh affairs, laboured, notwithſtanding the ſolicitations of Mary's friends†, to multiply, and to perpetuate the factions, which tore in pieces the kingdom. Randolph, whom ſhe deſpatched into Scotland on the firſt news of the regent's death, and who was her uſual agent for ſuch ſervices, found all parties ſo exaſperated by mutual injuries and ſo full of irreconcileable rancour, that it coſt him

† See Appendix, No. I.

little trouble to inflame their difcord. The convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited was appointed on the firft of May, 1570.†

Mean time, Maitland and Kirkaldy, who ftill continued to acknowledge the king's authority, were at the utmoft pains to reftore fome degree of harmony among their countrymen. They procured, for this purpofe, an amicable conference among the leaders of the two factions. But while the one demanded the reftoration of the queen, as the only thing which could re-eftablifh the public tranquillity; while the other efteemed the king's authority to be fo facred, that it was, on no account, to be called in queftion or impaired; and neither of them would recede in the leaft point from their opinions, they feparated without any profpect of concord. Both were rendered more averfe from reconcilement, by the hope of foreign aid. An envoy arrived from France with promifes of powerful fuccour to the queen's adherents; and as the civil wars in that kingdom feemed to be on the point of terminating in peace, it was expected that Charles would foon be at liberty to fulfil what he promifed. On the other hand, the earl of Suffex was affembling a powerful army on the borders, and its operations could not fail of adding fpirit and ftrength to the king's party‡.

Though the attempt towards a coalition of the factions proved ineffectual, it contributed fomewhat to moderate or fufpend their rage; but they foon began to act with their ufual animofity. Morton, the moft vigilant and able leader on the king's fide, folicited Elizabeth to interpofe, without delay, for the fafety of a party fo devoted to her intereft, and which ftood fo much in need of her affiftance. The chiefs of the queen's faction, affembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both governor of the caftle and provoft of the town, prevailed on the citizens, tho' with fome difficulty, to admit them within the gates. Toge-

† Crawf. Mem. 131. Calderw. ii. 157.
‡ Crawf. Mem. 134.

ther with Kirkaldy, the earl of Athol, and Maitland, acceded almoſt openly to their party; and the duke and lord Herries, having recovered liberty by Kirkaldy's favour, reſumed the places which they had formerly held in their councils. Encouraged by the acquiſition of perſons ſo illuſtrious by their birth, or ſo eminent for their abilities, they publiſhed a proclamation, declaring their intention to ſupport the queen's authority, and ſeemed reſolved not to leave the city before the meeting of the approaching convention, in which by their numbers and influence, they did not doubt of ſecuring a majority of voices on their ſide *.

At the ſame time they had formed a deſign of kindling war between the two kingdoms. If they could engage them in hoſtilities, and revive their ancient emulation and antipathy, they hoped, not only to diſſolve a confederacy of great advantage to the king's cauſe, but to reconcile their countrymen to their own ſovereign, Elizabeth's natural and moſt dangerous rival. With this view they had, immediately after the murder of the regent, prompted Scott and Ker to commence hoſtilities, and had ſince inſtigated them to continue and extend their depredations. As Elizabeth foreſaw, on the one hand, the dangerous conſequences of rendering this a national quarrel; and reſolved, on the other, not to ſuffer ſuch an inſult on her government to paſs with impunity; ſhe iſſued a proclamation, declaring that ſhe imputed the outrages which had been committed not to the Scottiſh nation, but to a few deſperate and ill-deſigning perſons; that, with the former, ſhe was reſolved to maintain an inviolable friendſhip, whereas the duty which ſhe owed to her own ſubjects obliged her to chaſtiſe the licentiouſneſs of the latter †. Suſſex and Scroop accordingly entered Scotland, the one on the eaſt, the other on the weſt borders, and laid waſte the adjacent countries with fire and ſword ‡. Fame magnified the number and progreſs of their troops, and Mary's adherents, not thinking themſelves ſafe in Edinburgh, the

* Crawf. Mem. 136. Calderw. ii. 176.
† Calderw. ii. 181. ‡ Cabbala, 174.

inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, they openly proclaimed the queens's authority, and forbade giving obedience to any but the duke, or the earls of Argyll and Huntly, whom she had constituted her lieutenants in the kingdom.

The nobles who adhered to the king, though considerably weakened by the defection of so many of their friends, assembled at Edinburgh on the day appointed. They issued a counter-proclamation, declaring such as appeared for the queen enemies of their country; and charging them with the murder both of the late king and of the regent. They could not, however, presume so much on their own strength as to venture either to elect a regent, or to take the field against the queen's party; but the assistance which they received from Elizabeth enabled them to do both. By her order sir William Drury marched into Scotland, with a thousand foot and three hundred horse; the king's adherents joined him with a considerable body of troops, and advancing towards Glasgow, where the adverse party had already begun hostilities by attacking the castle, they forced them to retire, plundered the neighbouring country which belonged to the Hamiltons, and, after seizing some of their castles, and razing others, returned to Edinburgh.

Under Drury's protection the earl of Lennox returned into Scotland. It was natural to commit the government of the kingdom to him during the minority of his grandson. His illustrious birth, and alliance with the royal family of England, as well as of Scotland rendered him worthy of that honour. His resentment against Mary being implacable, as his estate lay in England, and his family residing there, Elizabeth considered him as a man who, both from inclination and from interest, would act in concert with her, and ardently wished that he might succeed Murray in the office of regent. But on many accounts, she did not think it prudent to discover her own sentiments, or to favour his pretensions too openly. The civil wars in France, which had been excited by a pretended zeal for religi-

on, and carried on with a fiercenefs which did it real difhonour, appeared now to be on the point of coming to an iffue; and after fhedding the beft blood, and wafting the richeft provinces in the kingdom, both parties defired peace with an ardour that facilitated the negotiations which were carrying on for that purpofe. Charles IX. was known to be a paffionate admirer of Mary's beauty. Nor could he, in honour, fuffer a queen of France, and the moft ancient ally of his crown, to languifh in her prefent cruel fituation, without attempting to procure her relief. He had hitherto been obliged to fatisfy himfelf with remonftrating, by his ambaffadors, againft the indignity with which fhe had been treated. But if he were once at full liberty to purfue his inclinations, Elizabeth would have every thing to dread from the impetuofity of his temper and the power of his arms. It therefore became neceffary for her to act with fome referve, and not to appear avowedly to countenance the choice of a regent, in contempt of Mary's authority. The jealoufy and prejudices of the Scots required no lefs management. Had fhe openly fupported Lennox's claim; had fhe recommended him to the convention, as the candidate of whom fhe approved; this might have roufed the independent fpirit of the nobles, and by too plain a difcovery of her intention, fhe might have defeated its fuccefs. For thefe reafons fhe hefitated long, and returned ambiguous anfwers to all the meffages which fhe received from the king's party. A more explicit declaration of her fentiments was at laft obtained, and an event of an extraordinary nature feems to have been the occafion of it. Pope Pius V. having iffued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and abfolved her fubjects from their oath of allegiance, Felton, an Englifhman, had the boldnefs to affix it on the gates of the bifhop of London's palace. In former ages, a pope, moved by his own ambition, or pride, or bigotry, denounced this fatal fentence againft the moft powerful monarchs; but as the authority of the court of Rome was now lefs regarded, its proceedings were more cautious; and it was only when they were roufed

by fome powerful prince, that the thunders of the church were ever heard. Elizabeth, therefore, imputed this ftep which the pope had taken to a combination of the Roman catholic princes againft her, and fufpected that fome plot was formed in favour of the Scottifh queen. In that event, fhe knew that the fafety of her own kingdom depended on preferving her influence in Scotland; and in order to ftrengthen this, fhe renewed her promifes of protecting the king's adherents, encouraged them to proceed to the election of a regent, and even ventured to point out the earl of Lennox as the perfon who had the beft title. That honour was accordingly conferred upon him, in a convention of the whole party held on the 12th of July, 1570*.

The regent's firft care was to prevent the meeting of the parliament which the queen's party had fummoned to convene at Linlithgow. Having effected that, he marched againft the earl of Huntly, Mary's lieutenant in the north, and forced the garrifon which he had placed in Brechin to furrender at difcretion. Soon after, he made himfelf mafter of fome other caftles. Emboldened by this fuccefsful beginning of his adminiftration, as well as by the appearance of a confiderable army, with which the earl of Suffex hovered on the borders, he deprived Maitland of his office of fecretary, and proclaimed him, the duke, Huntly, and other leaders of the queen's party, traitors and enemies of their country†.

In this defperate fituation of their affairs, the queen's adherents had recourfe to the king of Spain‡, with whom Mary had held a clofe correfpondence ever fince her confinement in England. They prevailed on the duke of Alva to fend two of his officers to take a view of the country, and to examine its coafts and harbours; and obtained from him a fmall fupply of money and arms, which were fent to the earl of Huntly‖. But

* Spotfw. 240. Cald. ii. 186. See Appen. No. II.
† Crawf Mem. 159. Cald. ii. 198. ‡ See Append. No. III. ‖ And. iii. 122. Crawf. Mem. 153.

this aid, so disproportionate to their exigencies, would have availed them little. They were indebted for their safety to a treaty, which Elizabeth was carrying on, under colour of restoring the captive queen to her throne. The first steps in this negotiation were taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman catholics and hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his sister-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the solicitations of foreign ambassadors in her favour, and seemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a cessation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused for some time to come into this measure. It was not safe for him, however, to dispute the will of his protectress. A cessation of hostilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the first of April next year§.

Soon after Elizabeth despatched Cecil and sir Walter Mildmay to the queen of Scots. The dignity of these ambassadors, the former her prime minister, the latter chancellor of the exchequer, and one of her ablest counsellors, convinced all parties that the negotiation was serious, and that the hour of Mary's liberty was now approaching. The propositions which they made to her were advantageous to Elizabeth, but such as a prince in Mary's situation had reason to expect. The ratification of the treaty of Edinburgh, the renouncing any pretensions to the English crown, during Elizabeth's own life, or that of her posterity; the adhering to the alliance between the two kingdoms; the pardoning her

§ Spotsw. 243.

fubjects who had taken arms againft her; and her promifing to hold no correfpondence, and to countenance no enterprife, that might difturb Elizabeth's government; were among the chief articles. By way of fecurity for the accomplifhment of thefe, they demanded that fome perfons of rank fhould be given as hoftages, that the prince her fon fhould refide in England, and that a few caftles on the border fhould be put into Elizabeth's hands. To fome of thefe propofitions Mary confented, fome fhe endeavoured to mitigate, and others fhe attempted to evade. In the mean time, fhe tranfmitted copies of them to the pope, to the kings of France and Spain, and to the duke of Alva. She infinuated, that without fome timely and vigorous interpofition in her behalf, fhe would be obliged to accept of thefe hard conditions, and to purchafe liberty at any price. But the pope was a diftant and feeble ally, and by his great efforts at this time againft the Turks, his treafury was entirely exhaufted. Charles had already begun to meditate that confpiracy againft the hugonots, which marks his reign with fuch infamy; and it required much leifure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired fo great renown to the Chriftian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an infurrection; and his fubjects in the Netherlands, provoked by much oppreffion and many indignities, were breaking out into open rebellion. All of them, for thefe different reafons, advifed Mary, without depending on their aid, to conclude the treaty on the beft terms fhe could procure it †.

Mary accordingly confented to many of Elizabeth's demands, and difcovered a facility of difpofition which promifed ftill further conceffions. But no conceffion fhe could have made would have fatisfied Elizabeth, who, in fpite of her repeated profeffions of fincerity to foreign ambaffadors, and notwithftanding the folemnity

† Anderf. vol. iii. 119, 120.

with which she carried on the treaty, had no other object in it than to amuse Mary's allies, and to gain time‡. After having so long treated a queen, who fled to her for refuge, in so ungenerous a manner, she could not now dismiss her with safety. Under all the disadvantages of a rigorous confinement, Mary had found means to excite commotions in England, which were extremely formidable. What desperate effects of her just resentment might be expected, if she were set at liberty, and recovered her former power? What engagements could bind her, not to revenge the wrongs which she had suffered, nor to take advantage of the favourable conjunctures that might present themselves? Was it possible for her to give such security for her behaviour, in times to come, as might remove all suspicions and fears? And was there not good cause to conclude, that no future benefits could ever obliterate the memory of past injuries? It was thus Elizabeth reasoned; though she continued to act as if her views had been entirely different. She appointed seven of her privy counsellors to be commissioners for settling the articles of the treaty; and, as Mary had already named the bishops of Ross and Galloway, and lord Livingston, for her ambassadors, she required the regent to impower proper persons to appear in behalf of the king. The earl of Morton, Pitcairn abbot of Dunfermling, and sir James Macgill, were the persons chosen by the regent. They prepared for their journey as slowly as Elizabeth herself could have wished. At length they arrived at London, and met the commissioners of the two queens. Mary's ambassadors discovered the strongest inclination to comply with every thing that would remove the obstacles which stood in the way of their mistress's liberty. But when Morton and his associates were called upon to vindicate their conduct, and to explain the sentiments of their party, they began, in justification of their treatment of the queen, to advance such maxims concerning the limited powers of princes, and the natural right of subjects to resist and to controul

‡ Digges, Compl. Amb. 78.

them, as were extremely ſhocking to Elizabeth, whoſe notions of regal prerogative, as has been formerly obſerved, were very exalted. With regard to the authority which the king now poſſeſſed, they declared that they neither had, nor could poſſibly receive inſtructions to conſent to any treaty that tended to ſubvert, or even to impair it in the leaſt degree*. Nothing could be more trifling and ridiculous, than ſuch a reply from the commiſſioners of the king of Scots to the queen of England. His party depended abſolutely on her protection, her hand had ſeated him on the throne, and to her power he owed the continuance of his reign. With the utmoſt eaſe ſhe could have brought them to talk in a very different language; and whatever conditions ſhe might have thought fit to preſcribe, they would have had no other choice but to ſubmit. This declaration, however, ſhe affected to conſider as an inſuperable difficulty; and finding that there was no reaſon to dread any danger from the French king, who had not diſcovered that eagerneſs in ſupport of Mary which was expected, the reply made by Morton furniſhed her with a pretence for putting a ſtop to the negotiation, until the regent ſhould ſend ambaſſadors with more ample powers. And, after being amuſed for ten months with the hopes of liberty, the unhappy queen of Scots remained under ſtricter cuſtody than ever, and without any proſpect of eſcaping from it; while thoſe ſubjects who ſtill adhered to her were expoſed, without ally or protector, to the rage of enemies, whom their ſucceſs in this negotiation rendered ſtill more inſolent‡.

On the day after the expiration of the truce, which had been obſerved with little exactneſs on either ſide, captain Crawford of Jordan-hill, a gallant and enterpriſing officer, performed a ſervice of great importance to the regent, by ſurpriſing the caſtle of Dumbarton. This was the only fortified place in the kingdom of which the queen had kept poſſeſſion ever ſince the commencement

* Cald. ii. 234. Digges, 51. Haynes, 523, 524.

‡ And. iii. 91, &c.

of the civil wars. Its ſituation, on the top of an high and almoſt inacceſſible rock, which riſes in the middle of a plain, rendered it extremely ſtrong, and, in the opinion of that age, impregnable; as it commanded the river Clyde, it was of great conſequence, and was deemed the moſt proper place in the kingdom for landing any foreign troops that might come to Mary's aid. The ſtrength of the place rendered lord Fleming, the governor, more ſecure than he ought to have been, conſidering its importance. A ſoldier who had ſerved in the garriſon, and had been diſguſted by ſome ill uſage, propoſed the ſcheme to the regent, endeavoured to demonſtrate that it was practicable, and offered himſelf to go the foremoſt man on the enterpriſe. It was thought prudent to riſk any danger for ſo great a prize. Scaling-ladders, and whatever elſe might be neceſſary, were prepared with the utmoſt ſecrecy and diſpatch. All the avenues to the caſtle were ſeized, that no intelligence of the deſign might reach the governor. Towards evening Crawford marched from Glaſgow with a ſmall but determined band. By midnight they arrived at the bottom of the rock. The moon was ſet, and the ſky, which hitherto had been extremely clear, was covered with a thick fog. It was where the rock was higheſt that the aſſailants made their attempt, becauſe in that place there were few centinels, and they hoped to find them leaſt alert. The firſt ladder was ſcarcely fixed, when the weight and eagerneſs of thoſe who mounted brought it to the ground. None of the aſſailants were hurt by the fall, and none of the garriſon alarmed at the noiſe. Their guide and Crawford ſcrambled up the rock, and faſtened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmoſt difficulty, but were ſtill at a great diſtance from the foot of the wall. Their ladder was made faſt a ſecond time; but in the middle of the aſcent, they met with an unforeſeen difficulty. One of their companions was ſeized with ſome ſudden fit, and clung, ſeemingly without life, to the ladder. All were at a ſtand. It was impoſſible to paſs him. To tumble him headlong was cruel, and might occaſion a diſcovery. But

Crawford's presence of mind did not forsake him. He ordered the soldier to be bound fast to the ladder, that he might not fall when the fit was over; and turning the other side of the ladder, they mounted with ease over his belly. Day now began to break, and there still remained a high wall to scale; but after surmounting so many great difficulties, this was soon accomplished. A sentry observed the first man who appeared on the parapet, and had just time to give the alarm, before he was knocked on the head. The officers and soldiers of the garrison ran out naked, unarmed, and more anxious about their own safety, than capable of making resistance. The assailants rushed forwards, with repeated shouts and with the utmost fury; took possession of the magazine; seized the cannon; and turned them against their enemies. Lord Fleming got into a small boat, and fled all alone into Argylshire. Crawford, in reward of his valour and good conduct, remained master of the castle; and as he did not lose a single man in the enterprise, he enjoyed his success with unmixed pleasure. Lady Fleming, Verac the French envoy, and Hamilton archbishop of St. Andrews, were the prisoners of greatest distinction *.

Verac's character protected him from the usage which he merited by his activity in stirring up enemies against the king. The regent treated the lady with great politeness and humanity. But a very different fate awaited the archbishop; he was carried under a strong guard to Stirling; and as he had formerly been attainted by act of parliament, he was, without any formal trial, condemned to be hanged; and on the fourth day after he was taken, the sentence was executed. An attempt was made to convict him of being accessory to the murder both of the king and regent, but these accusations were supported by no proof. Our historians observe, that he was the first bishop in Scotland who died by the hands of the executioner. The high offices he had enjoyed, both in church and state, ought to have exempted him from a punishment in-

* Buch. 394.

flicted only on the lowest criminals. But his zeal for the queen, his abilities, and his profession, rendered him odious and formidable to the king's adherents. Lennox hated him as the person by whose counsels the reputation and power of the house of Hamilton were supported. Party rage and personal enmity dictated that indecent sentence, for which some colour was sought, by imputing to him such odious crimes *.

The loss of Dumbarton, and the severe treatment of the archbishop, perplexed and enraged the queen's party; and hostilities were renewed with all the fierceness which disappointment and indignation can inspire. Kirkaldy, who, during the truce, had taken care to increase the number of his garrison, and to provide every thing necessary for a siege, issued a proclamation declaring Lennox's authority to be unlawful and usurped; commanded all who favoured his cause to leave the town within six hours; seized the arms belonging to the citizens; planted a battery on the steeple of St. Giles's, repaired the walls, and fortified the gates of the city; and, though the affections of the inhabitants leaned a different way, held out the metropolis against the regent. The duke, Huntly, Home, Herries, and other chiefs of that faction, repaired to Edinburgh with their followers; and having received a small sum of money and some ammunition from France, formed no contemptible army within the walls. On the other side, Morton seized Leith and fortified it; and the regent joined him with a considerable body of men. While the armies lay so near each other, daily skirmishes happened, and with various success. The queen's party was not strong enough to take the field against the regent, nor was his superiority so great as to undertake the siege of the castle or of the town †.

Some time before Edinburgh fell into the hands of his enemies, the regent had summoned a parliament to meet in that place. In order to prevent any objection, against the lawfulness of the meeting, the members obeyed the proclamation as exactly as possible; and

* Spotsw. 252. † Cald. ii. 233, &c.

assembled in a house at the head of the Cannongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himself to the utmost to interrupt their meeting; but they were so strongly guarded, that all efforts were vain. They passed an act attainting Maitland and a few others, and then adjourned to the 28th of August *.

The other party, in order that their proceedings might be countenanced by the same shew of legal authority, held a meeting of parliament soon after. There was produced in this assembly a declaration by the queen of the invalidity of that deed whereby she had resigned the crown, and consented to the coronation of her son. Conformable to this declaration, an act was passed, pronouncing the resignation to have been extorted by fear; to be null in itself, and in all its consequences; and enjoining all good subjects to acknowledge the queen alone to be their lawful sovereign, and to support those who acted in her name. The present establishment of the protestant religion was confirmed by another statute: and in imitation of the adverse party, a new meeting was appointed on the 26th of August †.

Mean while all the miseries of civil war desolated the kingdom. Fellow-citizens, friends, brothers, took different sides, and ranged themselves under the standards of the contending factions. In every county, and almost in every town and village, *King's men* and *Queen's men* were names of distinction. Political hatred dissolved all natural ties, and extinguished the reciprocal good-will and confidence which hold mankind together in society. Religious zeal mingled itself with these civil distinctions, and contributed not a little to heighten and to inflame them.

The factions which divided the kingdom were in apapearance only two. But in both these there were persons with views and principles so different from each other, that they ought to be distinguished. With some, considerations of religion were predominant, and they

* Crawf. Mem. 177. † Id. Ibid.

either adhered to the queen, becauſe they hoped by her means to re-eſtabliſh popery, or they defended the king's authority, as the beſt ſupport of the proteſtant faith. Among theſe the oppoſition was violent and irreconcilable. Others were influenced by political motives only, or allured by views of intereſt; the regent aimed at uniting theſe, and did not deſpair of gaining by gentle arts many of Mary's adherents to acknowledge the king's authority. Maitland and Kirkaldy had formed the ſame deſign of a coalition, but on ſuch terms that the queen might be reſtored to ſome ſhare in the government, and the kingdom ſhake off its dependence on England. Morton, the ableſt, the moſt ambitious, and the moſt powerful man of the king's party, held a particular courſe; and moving only as he was prompted by the court of England, thwarted every meaſure that tended towards a reconcilement of the factions; and as he ſerved Elizabeth with much fidelity, he derived both power and credit, from her avowed protection.

The time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two biſhops appeared in that which was held in the queen's name at Edinburgh. But, contemptible as their numbers were, they paſſed an act for attainting upwards of two hundred of the adverſe faction. The meeting at Stirling was numerous and ſplendid. The regent had prevailed on the earls of Argyll, Eglinton, Caſſils, and lord Boyd, to acknowledge the king's authority. The three earls were among the moſt powerful noblemen in the kingdom, and had hitherto been zealous in the queen's cauſe. Lord Boyd had been one of Mary's commiſſioners at York and Weſtminſter, and ſince that time had been admitted into all her moſt ſecret councils. But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied ſo often, that the ſenſe of honour, the chief preſervative of conſiſtency in character, was entirely loſt; and, without any regard to decorum, men ſuddenly abandoned one party, and adopted all the violent paſſions of the other. The defection, however, of

so many perſons of diſtinction not only weakened the queen's party, but added reputation to her adverſaries.

After the example of the parliament at Edinburgh, that at Stirling began with framing acts againſt the oppoſite faction. But in the midſt of all the ſecurity, which confidence in their own numbers or diſtance from danger could inſpire, they were awakened, early one morning, by the ſhouts of the enemy in the heart of the town. In a moment the houſes of every perſon of diſtinction were ſurrounded, and before they knew what to think of ſo ſtrange an event, the regent, the earls of Argyll, Morton, Glencairn, Caſſils, Eglinton, Montroſe, Buchan, the lords Sempil, Cathcart, Ogilvie, were all made priſoners, and mounted behind troopers, who were ready to carry them to Edinburgh. Kirkaldy was the author of this daring enterpriſe; and if he had not been induced by the ill-timed anxiety of his friends about his ſafety, not to hazard his own perſon in conducting it, that day would have terminated the conteſt between the two factions, and have reſtored peace to his country. By his direction four hundred men, under the command of Huntly, lord Claud Hamilton, and Scott of Buccleugh, ſet out from Edinburgh, and the better to conceal their deſign, marched towards the ſouth. But they ſoon wheeled to the right, and horſes having been provided for the infantry, rode ſtraight to Stirling. By four in the morning they arrived there; not one ſentry was poſted on the walls, nor a ſingle man was awake about the place. They met with no reſiſtance from any perſon they had ſeized, except Morton. He defending his houſe with obſtinate valour, they were obliged to ſet it on fire, and he did not ſurrender till forced out of it by the flames. In performing this, ſome time was conſumed; and the private men, unaccuſtomed to regular diſcipline, left their colours, and began to rifle the houſes and ſhops of the citizens. The noiſe and uproar in the town reached the caſtle. The earl of Mar ſallied out with thirty ſoldiers; fired briſkly upon the enemy, of whom almoſt none but the officers kept together in a body. The townſmen took arms to aſſiſt their governor; a ſudden panic ſtruck the aſſailants; ſome fled, ſome

surrendered themselves to their own prisoners; and had not the borderers, who followed Scott, prevented a pursuit, by carrying off all the horses within the place, not a man would have escaped. If the regent had not unfortunately been killed, the loss on the king's side would have been as inconsiderable as the alarm was great. *Think on the archbishop of St. Andrews*, was the word among the queen's soldiers; and Lennox fell a sacrifice to his memory. The officer to whom he surrendered, endeavouring to protect him, lost his own life in his defence. He was slain, according to the general opinion, by command of lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great secrecy and prudence; but Morton's fortunate obstinacy, and the want of discipline among his troops, deprived him of success, the only thing wanting to render this equal to the most applauded military enterprises of the kind*.

As so many of the nobles were assembled, they proceeded without delay to the election of a regent. Argyll, Morton, and Mar, were candidates for the office. Mar was chosen by a majority of voices. Amidst all the fierce dissensions which had prevailed so long in Scotland, he had distinguished himself by his moderation, his humanity, and his disinterestedness. And as his power was far inferior to Argyll's, and his abilities not so great as Morton's, he was, for these reasons, less formidable to the other nobles. His merit too, in having so lately rescued the leaders of the party from imminent destruction, contributed not a little to his preferment.

While these things were carrying on in Scotland, the transactions in England were no less interesting to Mary, and still more fatal to her cause. The parliament of that kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the crown during the life of the queen; to affirm that the title of any other person was better than her's, or to maintain that the parliament had not power to settle and to limit the order of succession. This remarkable statute was intended not only for the security

* Melv. 226. Crawf. Mem. 204.

of their own sovereign, but to curb the restless and intriguing spirit of the Scottish queen and her adherents*.

At this time a treaty of marriage between Elizabeth and the duke of Anjou, the French king's brother, was well advanced. Both courts seemed to desire it with equal ardour, and gave out, with the utmost confidence, that it could not fail of taking place. Neither of them, however, wished it success; and they encouraged it for no other end, but because it served to cover or to promote their particular designs. The whole policy of Catherine of Medicis was bent towards the accomplishment of her detestable project for the destruction of the hugonot chiefs; and by carrying on a negotiation for the marriage of her son with a princess who was justly esteemed the protectress of that party, by yielding some things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the protestants in Europe, and to lull asleep the jealousy even of the hugonots themselves. Elizabeth flattered herself with reaping advantages of another kind. During the dependence of the negotiation, the French could not with decency give any open assistance to the Scottish queen; if they conceived any hopes of success in the treaty of marriage, they would of course interest themselves but coldly in her concerns: Mary herself must be dejected with losing an ally, whom she had hitherto reckoned her most powerful protector; and by interrupting her correspondence with France, one source, at least, of the cabals and intrigues which disturbed the kingdom would be stopt. Both queens succeeded in their schemes. Catherine's artifices imposed on Elizabeth, and blinded the hugonots. The French discovered the utmost indifference about the interest of the Scottish queen; and Mary, considering that court as already united with her rival, turned herself for protection with more eagerness than ever towards the king of Spain†. Philip, whose dark and thoughtful mind delighted in the mystery of intrigue, had held a secret correspondence with Mary for

* Camd. 436. † Digges, 144, 148. Camb. 434.

ſome time, by means of the biſhop of Roſs, and had ſupplied both herſelf and her adherents in Scotland with ſmall ſums of money. Ridolphi, a Florentine gentleman, who reſided at London under the character of a banker, and who acted privately as an agent for the pope, was the perſon whom the biſhop intruſted with this negotiation. Mary thought it neceſſary likewiſe to communicate the ſecret to the duke of Norfolk, whom Elizabeth had lately reſtored to liberty, upon his ſolemn promiſe to have no farther intercourſe with the queen of Scots; which, however, he regarded ſo little, that ſhe took no ſtep in any matter of moment without his advice. She complained in a long letter, which ſhe wrote to him in cyphers, of the baſeneſs with which the French court had abandoned her intereſt, ſhe declared her intention of imploring the aſſiſtance of the Spaniſh monarch, which was now her only reſource; and recommended Ridolphi to his confidence, as a perſon capable both of explaining and of advancing the ſcheme. The duke commanded Hickford, his ſecretary, to decypher, and then to burn this letter; but whether he had been already gained by the court, or reſolved at that time to betray his maſter, he diſobeyed the latter part of the order, and hid the letter, together with other treaſonable papers, under the duke's own bed.

Ridolphi, in a conference with Norfolk, omitted none of thoſe arguments, and ſpared none of thoſe promiſes, which are the uſual incentives to rebellion. The pope, he told him, had a great ſum in readineſs to beſtow in ſo good a cauſe. The duke of Alva had undertaken to land ten thouſand men not far from London. The catholics to a man would riſe in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half the nation had turned their eyes towards him, and expected him to revenge the unmerited injuries which he himſelf had ſuffered; and to reſcue an unfortunate queen, who offered him her perſon and her crown as the reward of his ſucceſs. Norfolk approved of the deſign, and, though he refuſed to give Ridolphi any letter of credit, allowed him to uſe his name in negotiating with

the pope and Alva §. The bishop of Ross, who, from the violence of his temper, and impatience to procure relief for his mistress, was apt to run into rash and desperate designs, advised the duke to assemble secretly a few of his followers, and at once to seize Elizabeth's person. But this the duke rejected as a scheme equally wild and hazardous. Mean while, the English court had received some imperfect information of the plot, by intercepting one of Ridolphi's agents; and an accident happened which brought to light all the circumstances of it. The duke had employed Hickford to transmit to lord Herries some money which was to be distributed among Mary's adherents in Scotland. A person not in the secret was intrusted with conveying it to the borders, and he, suspecting it from the weight to be gold, whereas he had been told that it was silver, carried it directly to the privy council. The duke, his domestics, and all who were privy, or could be suspected of being privy, to the design, were taken into custody. Never did the accomplices in a conspiracy discover less firmness, or servants betray an indulgent master with greater baseness. Every one confessed the whole of what he knew. Hickford gave directions how to find the papers which he had hid. The duke himself, relying at first on the fidelity of his associates, and believing all dangerous papers to have been destroyed, confidently asserted his own innocence; but when their depositions and the papers themselves were produced, astonished at their treachery, he acknowledged his guilt, and implored the queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and Elizabeth thought it necessary to deter her subjects, by his punishment, from holding correspondence with the queen of Scots, or her emissaries. Being tried by his peers, he was found guilty of high treason, and, after several delays, suffered death for the crime ‡.

The discovery of this conspiracy produced many ef-

§ Anders. iii. 161.

‡ Anders. iii. 149. State Trials, 185.

fects extremely detrimental to Mary's intereſt. The biſhop of Roſs, who appeared, by the confeſſion of all concerned, to be the prime mover in every cabal againſt Elizabeth, was taken into cuſtody, his papers ſearched, himſelf committed to the Tower, treated with the utmoſt rigour, threatened with capital puniſhment, and after a long confinement, ſet at liberty, on condition that he ſhould leave the kingdom. Mary was not only deprived of a ſervant, equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambaſſador at the Engliſh court. The Spaniſh ambaſſador, whom the power and dignity of the prince he repreſented exempted from ſuch inſults as Roſs had ſuffered, was commanded to leave England §. Mary herſelf was kept under a ſtricter guard than formerly, the number of her domeſtics abridged, and no perſon permitted to ſee her, but in preſence of her keepers ‖.

At the ſame time, Elizabeth, foreſeeing the ſtorm which was gathering on the continent againſt her kingdom, began to wiſh that tranquillity were reſtored in Scotland; and irritated by Mary's late attempt againſt her government, ſhe determined to act, without diſguiſe or ambiguity, in favour of the king's party. This reſolution ſhe intimated to the leaders of both factions. Mary, ſhe told them, had held ſuch a criminal correſpondence with her avowed enemies, and had excited ſuch dangerous conſpiracies both againſt her crown and her life, that ſhe would henceforth conſider her as unworthy of protection, and would never conſent to reſtore her to liberty, far leſs to replace her on her throne. She exhorted them, therefore, to unite in acknowledging the king's authority. She promiſed to procure by her mediation equitable terms for thoſe who had hitherto oppoſed it. But if they ſtill continued refractory, ſhe threatened to employ her utmoſt power to compel them to ſubmit †. Though this declaration did not produce an immediate effect; though hoſtilities continued in the

§ Digges, 163. ‖ Strype, Ann. ii. 50.
† See Append. No. IV.

neighbourhood of Edinburgh; though Huntly's brother, sir Adam Gordon, by his bravery and good conduct, had routed the king's adherents in the north in many encounters; yet such an explicit discovery of Elizabeth's sentiments contributed not a little to animate one party and to depress the spirit and hopes of the other *.

As Morton, who commanded the regent's forces, lay at Leith, and Kirkaldy still held out the town and castle of Edinburgh, scarce a day passed without a skirmish; and while both avoided any decisive action, they harassed each other by attacking small parties, beating up quarters, and intercepting convoys. These operations, though little memorable in themselves, kept the passions of both factions in perpetual exercise and agitation, and wrought them up, at last, to a degree of fury, which rendered them regardless not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and during the heat of combat, that this implacable rage appeared; both parties hanged the prisoners they took, of whatever rank or quality, without mercy, and without trial. Great numbers suffered in this shocking manner; and the unhappy victims were led, by fifties at a time, to execution; and it was not till both sides had smarted severely, that they discontinued this barbarous practice, so reproachful to the character of the nation ‡. Mean while those in the town and castle, though they had received a supply of money from the duke of Alva ||, began to suffer for want of provisions. As Morton had destroyed all the mills in the neighbourhood of the city, and had planted small garrisons in all the houses of strength around it, scarcity daily encreased. At last all the miseries of famine were felt, and they must have been soon reduced to such extremities, as would have forced them to capitulate, if the English and French ambassadors had not procured a suspension of hostilities between the two parties §.

Though the negotiation for a marriage between Eli-

* Cald. ii. 289, 294. Strype, ii. 76.
‡ Crawf. Mem. 218, 220. || Cald. ii. 345. § Ibid. 346.

zabeth and the duke of Anjou had been fruitlefs, both Charles and fhe were defirous of concluding a defenfive alliance between the two crowns. He confidered fuch a treaty, not only as the beft device for blinding the proteftants, the confpiracy againft whom was now almoft ripe for execution; but as a good precaution likewife againft the dangerous confequences to which that atrocious meafure might expofe him. Elizabeth, who had hitherto reigned without a fingle ally, now faw her kingdom fo threatened with inteftine commotions, or expofed to invafions from abroad, that fhe was extremely folicitous to fecure the affiftance of fo powerful a neighbour. The difficulties arifing from the fituation of the Scottifh queen were the chief occafions of any delay. Charles demanded fome terms of advantage for Mary and her adherents. Elizabeth refufed to liften to any propofition of that kind. Her obftinacy overcame the faint efforts of the French monarch. Mary's name was not fo much as mentioned in the treaty; and with regard to Scottifh affairs, a fhort article was inferted, in general and ambiguous terms, to this purpofe; "That the parties contracting fhall make no innovations in Scotland; nor fuffer any ftranger to enter, and to foment the factions there; but it fhall be lawful for the queen of England to chaftife by force of arms, thofe Scots who fhall continue to harbour the Englifh rebels now in Scotland¶."

In confequence of this treaty, France and England affected to act in concert with regard to Scotland, and Le Croc and fir William Drury appeared there, in name of their refpective fovereigns. By their mediation, a truce for two months was agreed upon, and during that time conferences were to be held between the leaders of the oppofite factions, in order to accommodate their differences and reftore peace to the kingdom. This truce afforded a feafonable interval of tranquillity to the queen's adherents in the fouth: but in the north it proved fatal to her intereft. Sir Adam Gordon had ftill maintained his reputation and fuperiority there. Se-

¶ Digges, 170, 191. Camd. 444.

veral parties, under different officers, were ſent againſt him. Some of them he attacked in the field; againſt others he employed ſtratagem; and as his courage and conduct were equal, none of his enterpriſes failed of ſucceſs. He made war too with the humanity which became ſo gallant a man, and gained ground by that, no leſs than by the terror of his arms. If he had not been obliged by the truce to ſuſpend his operations, he would in all probability have brought that part of the kingdom to ſubmit entirely to the queen's authority‡.

Notwithſtanding Gordon's bravery and ſucceſs, Mary's intereſt was on the decline, not only in her own kingdom, but among the Engliſh. Nothing could be more offenſive to that nation, jealous of foreigners, and terrified at the proſpect of the Spaniſh yoke, than her negotiations with the duke of Alva. The parliament, which met in May, proceeded againſt her as the moſt dangerous enemy of the kingdom; and after a ſolemn conference between the lords and commons, both houſes agreed in bringing in a bill to declare her guilty of high treaſon, and to deprive her of all right of ſucceſſion to the crown. This *great cauſe* as it was then called, occupied them during the whole ſeſſion, and was carried on with much unanimity. Elizabeth, though ſhe applauded their zeal, and approved much of the courſe they were taking, was ſatisfied with ſhowing Mary what ſhe might expect from the reſentment of the nation; but as ſhe did not yet think it time to proceed to the moſt violent extremity againſt her, ſhe prorogued the parliament*.

Theſe ſevere proceedings of the Engliſh parliament were not more mortifying to Mary, than the coldneſs and neglect of her allies the French. The duke of Montmorency, who came over to ratify the league with Elizabeth, made a ſhew of intereſting himſelf in her favour; but, inſtead of ſoliciting for her liberty, or her reſtoration to her throne, all that he demanded was a ſlight mitigation of the rigour of her impriſonment. And even this ſmall requeſt he urged with ſo

‡ Crawf. Mem. * D'Ewes, Journ. 206, &c.

little warmth or importunity, that no regard was paid to it †.

The alliance with France afforded Elizabeth much satisfaction, and she expected from it a great increase of security. She now turned her whole attention towards Scotland, where the animosities of the two factions were still so high, and so many interfering interests to be adjusted, that a general pacification seemed to be at a great distance. But while she laboured to bring them to some agreement, an event happened which filled a great part of Europe with astonishment and with horror. This was the massacre at Paris; an attempt, to which there is no parallel in the history of mankind, either for the dissimulation which led to it, or for the cruelty and barbarity with which it was put in execution. By the most solemn promises of safety and of favour, the leaders of the protestants were drawn to court; and though doomed to destruction, they were received with caresses, loaded with honours, and treated, for seven months, with every possible mark of familiarity and of confidence. In the midst of their security, the warrant for their destruction was issued Aug. 24, 1572, by their sovereign, on whose word they had relied; and, in obedience to it, their countrymen, their fellow-citizens and companions, imbrued their hands in their blood. Ten thousand protestants, without distinction of age, or sex, or condition, were murdered in Paris alone. The same barbarous orders were sent to other parts of the kingdom, and a like carnage ensued. This deed, which no popish writer, in the present age, mentions without detestation, was at that time applauded in Spain; and at Rome solemn thanksgivings were offered to God for its success. But among the protestants, it excited incredible horror; a striking picture of which is drawn by the French ambassador at the court of England, in his account of his first audience after the massacre. "A gloomy sorrow," says he, "sat on every face; silence, as in the dead of night, reigned thro' all the chambers of the royal apartment; the ladies

† Jebb, ii. 512.

and courtiers were ranged on each ſide, all clad in deep mourning, and as I paſſed through them, not one beſtowed on me a civil look, or made the leaſt return to my ſalutes *."

But horror was not the only paſſion with which this event inſpired the proteſtants; it filled them with fear. They conſidered it as the prelude to ſome greater blow, and believed, not without great probability, that all the popiſh princes had conſpired the deſtruction of their ſect. This opinion was of no ſmall diſſervice to Mary's affairs in Scotland. Many of her adherents were proteſtants; and though they wiſhed her reſtoration, were not willing, however, on that account, to ſacrifice the faith which they profeſſed. They dreaded her attachment to a religion, which allowed its votaries to violate the moſt ſolemn engagements, and prompted them to perpetrate the moſt barbarous crimes. A general confederacy of the proteſtants ſeemed to them, the only thing that could uphold the Reformation, againſt the league which was formed to overturn it. Nor could the preſent eſtabliſhment of religion be long maintained in Britain, but by a ſtrict union with Elizabeth, and by the concurrence of both nations, in eſpouſing the defence of it, as a common cauſe †.

The regent took hold of this favourable conjuncture for negotiating a general peace. And as he laboured for this purpoſe, with the utmoſt zeal, and the adverſe faction placed entire confidence in his integrity, his endeavours could ſcarce have failed of being ſucceſsful. Maitland and Kirkaldy came ſo near to an agreement with him, that ſcarce any thing remained, except the formality of ſigning the treaty. But Morton had not forgotten the diſappointment he met with in his pretenſions to the regency; his abilities, his wealth, and the patronage of the court of England, gave him greater ſway with the party, than even the regent himſelf; and he took pleaſure in thwarting every meaſure purſued by him. He was afraid that if Maitland and his aſſociates recovered any ſhare in the adminiſtration, his own

* Carte, iii. 522. † Digges, 244, 267.

influence would be confiderably diminifhed; and the regent, by their means, would regain that afcendent, which belonged to his ftation. With him, concurred all thofe, who were in poffeffion of the lands, which belonged to any of the queen's party. And his ambition, and their avarice, fruftrated the regent's pious intentions, and retarded a bleffing fo neceffary to the kingdom, as the eftablifhment of peace †.

Such a difcovery of the felfifhnefs and ambition which reigned among his party, made a deep impreffion on the regent, who loved his country, and wifhed for peace with much ardour. This inward grief broke his fpirit, and by degrees brought on a fettled melancholy, that ended in a diftemper, of which he died on the 29th of October. He was, perhaps, the only perfon in the kingdom who could have enjoyed the office of regent without envy, and have left it without lofs of reputation. Notwithftanding their mutual animofities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted *.

No competitor now appeared againft Morton. The queen of England powerfully fupported his claim; and notwithftanding the fears of the people, and the jealoufy of the nobles, he was elected regent; the fourth who, in the fpace of five years had held that dangerous office.

As the truce had been prolonged to the firft of January, this gave him an opportunity of continuing the negotiations with the oppofite party, which had been fet on foot by his predeceffor. They produced no effects, however, till the beginning of the next year.

Before we proceed to thefe, fome events, hitherto untouched, deferve our notice.

The earl of Northumberland, who had been kept prifoner in Lochlevin ever fince his flight into Scotland in the year 1569, was given up to lord Hunfdon, governor of Berwick; and being carried to York, fuffered there the punifhment of his rebellion. The king's party depended fo entirely on Elizabeth's protection, that it was fcarce poffible for them to refufe putting into her hands

† Melv. 233. Crawf. Mem. 237. * Crawf. Mem. 241.

a person who had taken up arms against her; but as a sum of money was paid on that account, and shared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendship, the abandoning this unhappy nobleman, in such a manner, to certain destruction, was deemed an ungrateful and mercenary action†.

This year was remarkable for a considerable innovation in the government of the church. Soon after the Reformation, the popish bishops had been confirmed by law in possession of part of their benefices; the spiritual jurisdiction, which belonged to their order, was exercised by superintendents, but with more moderate authority. On the death of the archbishop of St. Andrews, Morton obtained from the crown a grant of the temporalities of that see. But as it was thought indecent for a layman to hold a benefice to which the cure of souls was annexed, he procured Douglas, rector of the university of St. Andrews, to be chosen archbishop; and, allotting him a small pension out of the revenues of the see, retained the remainder in his own hands. The nobles, who saw the advantages they might reap from such a practice, supported him in the execution of his plan. It gave great offence, however, to the clergy, who, instead of perpetuating an order whose name and power was odious to them, wished that the revenues which had belonged to it might be employed in supplying such parishes as were still unprovided with settled pastors. But, on the one hand, it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the protestant church in Scotland depended; and Morton, on the other, conducted his scheme with such dexterity, and managed them with so much art, that it was at last agreed, in a convention composed of the leading men among the clergy, together with a committee of privy council, "That the name and office of archbishop and bishop should be continued during the king's minority, and these dignities be

† Crawf. 55, 222. Camd. 445.

conferred upon the best qualified among the protestant ministers; but that, with regard to their spiritual jurisdictions, they should be subject to the general assembly of the church." The rules to be observed in their election, and the persons who were to supply the place, and enjoy the privileges which belonged to the dean and chapter in times of popery, were likewise particularly specified*. The whole being laid before the general assembly, after some exceptions to the name of *archbishop, dean, chapter*, &c. and a protestation that it should be considered only as a temporary constitution, until one more perfect could be introduced, it obtained the approbation of that court†. Even Knox, who was prevented from attending the assembly by the ill state of his health, tho' he declaimed loudly against the simoniacal paction to which Douglas owed his preferment, and blamed the nomination of a person worn out with age and infirmities, to an office which required unimpaired vigour both of body and mind, seems not to have condemned the proceedings of the convention; and, in a letter to the assembly, recommended some of their regulations with respect to the election of bishops, as worthy of being carefully observed‡. In consequence of the assembly's consent to the plan agreed upon in the convention, Douglas was installed in his office; and at the same time an archbishop of Glasgow, and a bishop of Dunkeld, were chosen from among the protestant clergy. They were all admitted to the place in parliament which belonged to the ecclesiastical order. But, in imitation of the example set by Morton, such pactions were made with them by different noblemen, as gave them possession only of a very small part of the revenues belonging to their sees‖.

Soon after the dissolution of this assembly, Knox, the prime instrument of spreading and establishing the reformed religion in Scotland, ended his life, in the sixty-seventh year of his age. Zeal, intrepidity, disinterestedness, were virtues which he possessed in an eminent

* Cald. ii. 305. † Id. 354. ‡ See Append. No. V. ‖ Spotf. 261.

degree. He was acquainted too with the learning cultivated among divines in that age; and excelled in that species of eloquence which is calculated to rouse and to inflame. His maxims, however, were often too severe, and the impetuosity of his temper excessive. Rigid and uncomplying himself, he shewed no indulgence to the infirmities of others. Regardless of the distinction of rank and character, he uttered his admonitions with an acrimony and vehemence, more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expressions with respect to the queen's person and conduct. Those very qualities, however, which now render his character less amiable, fitted him to be the instrument of Providence for advancing the Reformation among a fierce people, and enabled him to face dangers, and to surmount opposition, from which a person of a more gentle spirit would have been apt to shrink back. By an unwearied application to study and to business, as well as by the frequency and fervour of his public discourses, he had worn out a constitution naturally robust. During a lingering illness he discovered the utmost fortitude; and met the approaches of death with a magnanimity inseparable from his character. He was constantly employed in acts of devotion, and comforted himself with those prospects of immortality which not only preserve good men from desponding, but fill them with exultation in their last moments. The earl of Morton, who was present at his funeral, pronounced his eulogium in a few words, the more honourable for Knox as they came from one whom he had often centured with peculiar severity: "There lies He, who never feared the face of man §."

Though Morton did not desire peace from such generous motives as the former regent, he laboured, however in good earnest, to establish it. The public confusions and calamities, to which he owed his power and importance when he was only the second person

§ Id. 266. Cald. ii. 273.

in the nation, were extremely detrimental to him, now that he was raised to be the first. While so many of the nobles continued in arms against him, his authority as regent was partial, feeble, and precarious. Elizabeth was no less desirous of extinguishing the flame which she had kindled and kept so long alive in Scotland†. She had discovered the alliance with France, from which she had expected such advantages, to be no foundation of security. Though appearances of friendship still subsisted between her and that court, and Charles daily renewed his protestations of inviolable adherence to the treaty, she was convinced, by a fatal example, how little she ought to rely on the promises or oaths of that perfidious monarch. Her ambassador warned her that the French held secret correspondence with Mary's adherents in Scotland, and encouraged them in their obstinacy ‖. The duke of Alva carried on his intrigues in that kingdom with less disguise. She was persuaded that they would embrace the first serene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land in Scotland. She resolved, therefore, to prevent their getting any footing in the island, and to cut off all their hopes of finding any assistance there by uniting the two parties.

The situation of Mary's adherents enabled the regent to carry on his negotiations with them to great advantage. They were now divided into two factions. At the head of the one were Chatelherault and Huntly. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extensive property, and the numbers of their followers, rendered the former considerable. The latter were indebted for their importance to their personal abilities, and to the strength of the castle of Edinburgh, which was in their possession. The regent had no intention to comprehend both in the same treaty; but as he dreaded that the queen's party, if it remained entire, would be able to thwart and embarrass his administration, he resolved to divide and

† Diggs, 299. ‖ Id. 296, 312.

weaken it, by a feparate negotiation. He made the firft overture to Kirkaldy and his affociates, and endeavoured to renew the negotiation with them, which, during the life of his predeceffor, had been broken off by his own artifices. But Kirkaldy knew Morton's views and fyftem of government to be very different from thofe of the former regent. Maitland confidered him as a perfonal and implacable enemy. They received repeated affurances of protection from France; and though the fiege of Rochelle employed the French arms at that time, the fame hopes, which had fo often deceived the party, ftill amufed them, and they expected that the obftinacy of the hugonots would foon be fubdued, and that Charles would then be at liberty to act with vigour in Scotland. Mean while, a fupply of money was fent, and if the caftle could be held out till Whitfunday, effectual aid was promifed *. Maitland's genius delighted in forming fchemes that were enterprifing and dangerous; and Kirkaldy poffeffed the intrepidity neceffary for putting them in execution. The caftle, they knew, was fo fituated, that it might defy all the regent's power. Elizabeth, they hoped, would not violate the treaty with France, by fending forces to his affiftance; and if the French fhould be able to land any confiderable body of men, it might be poffible to deliver the queen from captivity, or at leaft to balance the influence of France and England in fuch a manner, as to refcue Scotland from the difhonourable dependence upon the latter, under which it had fallen. This fplendid but chimerical project they preferred to the friendfhip of Morton. They encouraged the negotiation, however, becaufe it ferved to gain time; they propofed, for the fame purpofe, that the whole of the queen's party fhould be comprehended in it, and that Kirkaldy fhould retain the command of the caftle fix months after the treaty was figned. His intereft prompted the regent to reject the former; his penetra-

* Digges 314.

tion suggested the danger of complying with the latter; and all hopes of accommodation vanished‡.

As soon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which, by the return of the inhabitants whom he had expelled, was devoted as zealously as ever to the king's cause. But as the regent had now set on foot a treaty with Chatelherault and Huntly, the cessation of arms still continued with them.

They were less scrupulous than the other party, and listened eagerly to his overtures. The duke was naturally unsteady, and the approach of old age increased his irresolution, and aversion to action. The miseries of civil discord had afflicted Scotland almost five years, a length of time far beyond the duration of any former contest. The war, instead of doing service, had been detrimental to the queen; and more ruinous than any foreign invasion to the kingdom. In prosecuting it, neither party had gained much honour; both had suffered great losses, and had exhausted their own estates, in wasting those of their adversaries. The commons were in the utmost misery, and longed ardently for a peace, which might terminate this fruitless but destructive quarrel.

A great step was taken towards this desirable event, by the treaty concluded at Perth, between the regent on one hand, and Chatelherault and Huntly on the other, under the mediation of Killegrew, Elizabeth's ambassador†. The chief articles in it were these; that all the parties comprehended in the treaty should declare their approbation of the reformed religion, now established in the kingdom; that they should submit to the king's government, and own Morton's authority as regent; that they should acknowledge every thing done in opposition to the king, since his coronation, to be illegal; that on both sides the prisoners who had been taken should be set at liberty, and the lands restored to their proper owners; that the act of attainder passed against the queen's adherents should be repealed, and

‡Melv. 235, &c. †See Append. No. VI.

indemnity granted for all the crimes of which they had been guilty since the fifteenth of June, 1567; and that the treaty should be ratified by the common consent of both parties in parliament †.

Kirkaldy, though abandoned by his associates, who neither discovered solicitude nor made provision for his safety, did not lose courage, nor entertain any thoughts of accommodation §. Though all Scotland had now submitted to the king, he still resolved to defend the castle in the queen's name, and to wait the arrival of the promised succours. The regent was in want of every thing necessary for carrying on a siege. But Elizabeth, who determined at any rate to bring the dissensions in Scotland to a period, before the French could find leisure to take part in the quarrel, soon afforded him sufficient supplies. Sir William Drury marched into Scotland with fifteen hundred foot, and a considerable train of artillery. The regent joined him with all his forces; and trenches were opened, and approaches regularly carried on against the castle. Kirkaldy, though discouraged by the loss of a great sum

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† Crawf. Mem. 251.

§ Melvil, whose brother, sir Robert, was one of those who joined with Kirkaldy in the defence of the castle, and who was himself strongly attached to their party, asserts that Kirkaldy offered to accept of any reasonable terms of composition, but that all his offers were rejected by the regent. Melv. 240. But as Elizabeth was, at that time, extremely desirous of restoring peace in Scotland, and her ambassador Killegrew, as well as the earl of Rothes, used their utmost endeavours to persuade Kirkaldy to accede to the treaty of Perth, it seems more credible to impute the continuance of hostilities to Kirkaldy's obstinacy, his distrust of Morton, or his hope of foreign aid, than to any other cause.

That this was really the case is evident from the positive testimony of Spotsw. 269, 270. Camd. 448. Johnst. Hist. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.

of money, remitted to him from France, and which fell into the regent's hands through the treachery of sir James Balfour, the moſt corrupt man of that age, defended himſelf with bravery, augmented by deſpair. Three-and-thirty days he reſiſted all the efforts of the Scots and Engliſh, who puſhed on their attacks with courage, and with emulation. Nor did he demand a parley, till the fortifications were battered down, and one of the wells in the caſtle dried up, and the other choaked with rubbiſh. Even then, his ſpirit was unſubdued, and he determined rather to fall glorioufly behind the laſt intrenchment, than to yield to his inveterate enemies. But his garriſon was not animated with the ſame heroic or deſperate reſolution, and, riſing in a mutiny, forced him to capitulate. He ſurrendered himſelf to Drury, who promiſed in the name of his miſtreſs, that he ſhould be favourably treated. Together with him, James Kirkaldy his brother, lord Home, Maitland, ſir Robert Melvil, a few citizens of Edinburgh, and about one hundred and ſixty ſoldiers, were made priſoners*.

Several of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low-countries, and entering into the ſervice of the ſtates, added, by their gallant behaviour, to the reputation for military virtue, which has always been the characteriſtic of the Scottiſh nation.

Thus by the treaty with Chatelherault and Huntly, and the ſurrender of the caſtle, the civil wars in Scotland were brought to a period. When we review the ſtate of the nation, and compare the ſtrength of the two factions, Mary's partiſans among the nobles appear, manifeſtly, to have been ſuperior both in numbers and in power. But theſe advantages were more than counterbalanced by others, which their antagoniſts enjoyed. Political abilities, military ſkill, and all the talents which times of action form, or call forth, appeared chiefly on the king's ſide. Nor could their enemies boaſt of any man, who equalled the intre-

* Cald. ii. 408. Melv. 240. Crawf. Mem. 265.

pidity of Murray, tempered with wisdom; the profound sagacity of Morton; the subtle genius, and insinuating address of Maitland; or the successful valour of Kirkaldy; all which were, at first, employed in laying the foundations of the king's authority. On the one side, measures were concerted with prudence, and executed with vigour; on the other, their resolutions were rash, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation against the queen, warmly supported the king's cause. The clergy threw the whole weight of their popularity into the same scale. By means of these, as well as by the powerful interposition of England, the king's government was finally established. Mary lost even that shadow of sovereignty, which, amidst all her sufferings, she had hitherto retained among her own subjects. And as she was no longer permitted to have an ambassador at the court of England, the only mark of dignity which she had, for some time, enjoyed there, she must henceforth be considered as an exile stripped of all the ensigns of royalty; guarded with anxiety in the one kingdom, and totally deserted or forgotten in the other.

Kirkaldy and his associates remained in Drury's custody, and were treated by him with great humanity, until the queen of England, whose prisoners they were, should determine their fate. Morton insisted that they should suffer the punishment due to their rebellion and obstinacy; and declared that so long as they were allowed to live, he did not reckon his own person or authority secure; and Elizabeth, without regarding Drury's honour, or his promises in her name, abandoned them to the regent's disposal. He first confined them to separate prisons; and soon after, with Elizabeth's consent, condemned Kirkaldy, and his brother, to be hanged at the cross of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution, by a voluntary death, and "ended his days," says Melvil, "after "the old Roman fashion."

While the regent was wreaking his vengeance on

the remains of her party in Scotland, Mary, incapable of affording them any relief, bewailed their misfortunes in the solitude of her prison. At the same time her health began to be much impaired by confinement and want of exercise. At the entreaty of the French ambassador, lord Shrewsbury her keeper, was permitted to carry her to Buxton-wells, not far from Tuthbury, the place of her imprisonment. Cecil, who had lately been created baron of Burleigh, and lord high treasurer of England, happened to be there at the same time. Though no minister ever entered more warmly into the views of a sovereign, or gave stronger proofs of his fidelity and attachment, than this great man, yet such was Elizabeth's distrust of every person who approached the queen of Scots, that her suspicions, in consequence of this interview, seem to have extended even to him; and, while Mary justly reckoned him her most dangerous enemy, he found some difficulty in persuading his own mistress that he was not partial to that unhappy queen *.

The duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppressive administration roused a spirit, in attempting to subdue which, Spain exhausted its treasures, ruined its armies, and lost its glory. Requesens, who succeeded him, was of a milder temper, and of a less enterprising genius. This event delivered Elizabeth from the perpetual disquietude, occasioned by Alva's negotiations with the Scottish queen, and his zeal for her interest.

Though the kingdom was now settled in profound peace, many of the evils which accompany civil war were still felt. The restraints of law, which, in times of public confusion, are little regarded even by civilized nations, were totally despised by fierce people, unaccustomed to the regular administration of justice. The disorders in every corner of the kingdom were become intolerable, and, under the protection of the one or the other faction, crimes of every kind were committed

* Strype, ii. 248, 288.

with impunity. The regent set himself to redress these, and by his industry and vigour, order and security were re-established in the kingdom. But he lost the reputation due to this important service, by the avarice which he discovered in performing it; and his own exactions became more pernicious to the nation than all the irregularities which he restrained§. Spies and informers were every where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty trespasses were aggravated; and delinquents were forced to compound for their lives, by the payment of exorbitant fines. At the same time the current coin was debased†; licences were sold for carrying on prohibited branches of commerce; unusual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the church. The thirds of benefices, out of which the clergy received their subsistence, had been slowly and irregularly paid to collectors appointed by the general assembly; and, during the civil wars, no payment could be obtained in several parts of the kingdom. Under colour of redressing this grievance, and upon a promise of assigning every minister a stipend

§ See Append. No. VII.

† The corruption of the coin, during Morton's administration, was very great. Although the quantity of current money coined out of a pound of bullion, was gradually increased by former princes; the standard or fineness suffered little alteration, and the mixture of alloy was nearly the same with what is now used. But Morton mixed a fourth part of alloy with every pound of silver, and sunk, by consequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be recoined. The standard was restored to the same purity as formerly. Ruddim. Praef. to Anders. Diplom. p. 74.

within his own parifh, the regent extorted from the church the thirds to which they had right by law. But the clergy, inftead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One minifter with a pitiful falary was commonly burdened with the care of four or five parifhes, and the regent's infatiable avarice feized on the reft of the fund *.

The death of Charles IX. which happened this year, was a new misfortune to the Scottifh queen. Henry III. who fucceeded him, had not the fame attachment to her perfon; and his jealoufy of the houfe of Guife, and obfequioufnefs to the queen's mother, greatly alienated him from her intereft. The death of the duke of Chatelherault muft likewife be confidered as fome lofs to Mary. As the parliament had frequently declared him next heir to the crown, this entitled him to great refpect among his countrymen, and enabled him, more than any other perfon in the kingdom, to counterbalance the regent's power.

Soon after, at one of the ufual interviews between the wardens of the Scottifh and Englifh marches, a fcuffle happened, in which the Englifh were worfted; a few killed on the fpot; and fir James Forefter, the warden, with feveral gentlemen who attended him, taken prifoners. But both Elizabeth and the regent were too fenfible of the advantage which refulted from the good underftanding that fubfifted between the two kingdoms, to allow this flight accident to interrupt it.

The domeftic tranquillity of the kingdom was in fome danger of being difturbed by another caufe. Though the perfons raifed to the dignity of bifhops poffeffed very fmall revenues, and a very moderate degree of power, the clergy, to whom the regent and all his meafures were become extremely odious, began to be jealous of that order. Knowing that corruptions fteal into the church gradually, under honourable names, and upon decent pretences, they were afraid

* Crawf. Mem. 272. Spotf. 273. Cald. ii. 420. 427.

that, from such small beginnings, the hierarchy might grow in time to be as powerful and oppressive as ever. The chief author of these suspicions was Mr. Andrew Melvil, a man distinguished by his uncommon erudition, by the severity of his manners, and the intrepidity of his mind. But, bred up in the retirement of an academy, he was unacquainted with the arts of life; and being more attentive to the ends which he pursued, than to the means which he employed for promoting them, he often defeated laudable designs, by the impetuosity and imprudence with which he carried them on. A question was moved by him in the assembly, "whether the office of bishop, as now exercised in the kingdom, were agreeable to the word of God?" In the ecclesiastical judicatories, continual complaints were made of the bishops for neglect of duty, many of which their known remissness too well justified. The bishop of Dunkeld, being accused of dilapidating his benefice, was found guilty by the assembly. And the regent, instead of checking, connived at these disputes about ecclesiastical government, as they diverted the zeal of the clergy from attending to his daily encroachments on the patrimony of the church*.

The weight of the regent's oppressive administration had, hitherto, fallen chiefly on those in the lower and middle rank, but he began now to take such steps as convinced the nobles, that their dignity would not long exempt them from feeling the effects of his power. An accident, which was a frequent cause of dissension among the Scottish nobles, occasioned a difference between the earls of Argyll and Athol. A vassal of the former had made some depredations on the lands of the latter. Athol took arms to punish the offender; Argyll, to protect him; and this ignoble quarrel they were ready to decide in the field, when the regent, by interposing his authority, obliged them to disband their forces. Both of them had been guilty of irregularities, which, though common were contrary to the letter of the law. Of these the regent took advantage, and resolved to

* Cald. Assemblies, 1574, &c. Johnst. Hist. 15.

found them on a charge of treafon. This defign was revealed to the two earls by one of Morton's retainers. The common danger to which they were expofed, compelled them to forget old quarrels, and to unite in a clofe confederacy for their mutual defence. Their junction rendered them formidable; they defpifed the fummons which the regent gave them to appear before a court of juftice; and he was obliged to defift from any further profecution. But the injury he intended made a deep impreffion, and drew on him fevere vengeance *.

Nor was he more fuccefsful in an attempt which he made, to load lord Claud Hamilton with the guilt of having formed a confpiracy againft his life. Though thofe who were fuppofed to be his accomplices, were feized and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circumftances difcovered his innocence, as well as the regent's fecret views, in imputing to him fuch an odious defign †.

The Scottifh nobles, who were almoft equal to their monarchs in power, and treated by them with much diftinction, obferved thefe arbitrary proceedings of a regent with the utmoft indignation. The people, who under a form of government extremely fimple, had been little accuftomed to the burden of taxes, complained loudly of the regent's rapacity. And all began to turn their eyes towards the young king, from whom they expected the redrefs of all their grievances, and return of a more gentle and more equal adminiftration.

James was now in the twelfth year of his age. The queen, foon after his birth, had committed him to the care of the earl of Mar, and, during the civil wars he had refided fecurely in the caftle of Stirling. Alexander Erfkine, that nobleman's brother, had the chief direction of his education. Under him was the famous Buchanan, together with three other preceptors, the moft eminent the nation afforded for fkill in thofe fciences which were deemed neceffary for a prince. The

* Crawf. Mem. 285. † Ibid. 287.

young king shewed an uncommon paſſion for learning, and made great progreſs in it; and the Scots fancied that they already diſcovered in him all thoſe virtues which the fondneſs and credulity of ſubjects uſually aſcribe to princes during their minority. But, as James was ſtill far from that age, at which he was permitted by law to aſſume the reins of government, the regent did not ſufficiently attend to the ſentiments of the people, nor reflect how naturally theſe prejudices in his favour might encourage the king to anticipate that period. He not only neglected to ſecure the friendſhip of thoſe who were about the king's perſon, and who poſſeſſed his ear, but had even exaſperated ſome of them by perſonal injuries. Their reſentment concurred with the ambition of others, in infuſing into the king early ſuſpicions of Morton's power and deſigns. A king they told him, had often reaſon to fear, ſeldom to love, a regent. Prompted by ambition and by intereſt, he would endeavour to keep the prince in perpetual infancy, at a diſtance from his ſubjects, and unacquainted with buſineſs. A ſmall degree of vigour, however, was ſufficient to break the yoke. Subjects naturally reverence their ſovereign, and become impatient of the temporary and delegated juriſdiction of a regent. Morton had governed with a rigour unknown to the ancient monarchs of Scotland. The nation groaned under his oppreſſions, and would welcome the firſt proſpect of a milder adminiſtration. At preſent the king's name was ſcarcely mentioned in Scotland, his friends were without influence, and his favourites without honour. But one effort would diſcover Morton's power to be as feeble as it was arbitrary. The ſame attempt would put himſelf in poſſeſſion of his juſt authority, and reſcue the nation from intolerable tyranny. If he did not regard his own rights as a king, let him liſten, at leaſt to the cries of his people*.

Theſe ſuggeſtions made a deep impreſſion on the

* Melvil, 249.

young king, who was trained up in an opinion that he was born to command. His approbation of the design, however, was of small consequence, without the concurrence of the nobles. The earls of Argyll and Athol, two of the most powerful of that body, were animated with implacable resentment against the regent. To them the cabal in Stirling castle communicated the plot which was on foot; and they entering warmly into it, Alexander Erskine, who, since the death of his brother, and during the minority of his nephew, had the command of that fort, and the custody of the king's person, admitted them secretly into the king's presence. They gave him the same account of the misery of his subjects, under the regent's arbitrary administration; they complained loudly of the injustice with which themselves had been treated, and besought the king, as the only means for redressing the grievances of the nation, to call a council of the whole nobles. James consented, and letters were issued in his name for that purpose; but the two earls took care that they should be sent only to those who were known to bear no good-will to Morton *.

The number of these was, however, so considerable, that on the day appointed, far the greater part of the nobles assembled at Stirling; and so highly were they incensed against Morton, that, although on receiving intelligence of Argyll and Athol's interview with the king, he had made a feint as if he would resign the regency, they advised the king, without regarding this offer, to deprive him of his office, and to take the administration of government into his own hands. Lord Glamis the chancellor, and Herries, were appointed to signify this resolution to Morton, who was at that time in Dalkeith, his usual place of residence. Nothing could equal the joy with which this unexpected resolution filled the nation, but the surprise occasioned by the seeming alacrity with which the regent descended from so high a station. He neither wanted sagacity to foresee the danger of resigning, nor incli[illegible]na-

* Spotf. 278.

tion to keep poffeffion of an office, for the expiration of which the law had fixed fo diftant a term. But all the fources, whence the faction of which he was head, had derived their ftrength, were either failed, or now fupplied his adverfaries with the means of humbling him. The commons, the city of Edinburgh, the clergy, were all totally alienated from him, by his multiplied oppreffions. Elizabeth, having lately bound herfelf by treaty to fend a confiderable body of troops to the affiftance of the inhabitants of the Netherlands, who were ftruggling for liberty, had little leifure to attend to the affairs of Scotland; and as fhe had nothing to dread from France, in whofe councils the princes of Lorrain had not at that time much influence, fhe was not difpleafed, perhaps, at the birth of new factions in the kingdom. Even thofe nobles, who had long been joined with Morton in faction, or whom he had attached to his perfon by benefits, Glamis, Lindfay, Ruthven, Pitcairn the fecretary, Murray of Tillibardin comptroller, all deferted his falling fortunes, and appeared in the council at Stirling. So many concurring circumftances convinced Morton of his own weaknefs, and determined him to give way to a torrent, which was too impetuous to be refifted. He attended the chancellor and Herries to Edinburgh; was prefent when the king's acceptance of the government was proclaimed; and, in the prefence of the people, furrendered to the king all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with fuch exceffive joy and acclamations of the multitude, as added, no doubt, to the anguifh which an ambitious fpirit muft feel, when compelled to renounce fupreme power; and convinced Morton how entirely he had loft the affections of his countrymen. He obtained, however, from the king an act containing the approbation of every thing done by him in the exercife of his office, and a pardon, in the moft ample form that his fear or caution could devife, of all paft offences, crimes, and treafons. The nobles, who adhered to the king, bound themfelves under a great

penalty, to procure the ratification of this act in the first parliament †.

A council of twelve nobles was appointed to assist the king in the administration of affairs. And Morton, deserted by his own party, and unable to struggle with the faction which governed absolutely at court, retired to one of his seats, and seemed to enjoy the tranquillity, and to be occupied only in the amusements of a country life. His mind, however, was deeply disquieted with all the uneasy reflections which accompany disappointed ambition, and intent on schemes for recovering his former grandeur. Even in this retreat, which the people called the *Lion's Den*, his wealth and abilities rendered him formidable; and the new counsellors were so imprudent as to rouse him, by the precipitancy with which they hastened to strip him of all the remains of power. They required him to surrender the castle of Edinburgh, which was still in his possession. He refused at first to do so, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulsed a part of the garrison, which was sent out to guard a convoy of provisions, he was obliged to give up that important fortress, without resistance. This encouraged his adversaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in such a manner as convinced him that nothing less than his utter ruin would satisfy their inveterate hatred.

Their power and popularity, however, began already to decline. The chancellor, the ablest and most moderate man in the party, having been killed at Stirling, in an accidental rencounter between his followers and those of the earl of Crawford; Athol, who was appointed his successor in that high office, the earls of Eglinton, Caithness, and lord Ogilvie, all the prime favourites at court, were either avowed papists, or suspected of leaning to the opinions of that sect. In an age when the return of popery was so much and so justly dreaded, this gave universal alarm. And as Morton had always treated the papists with rigour, this unseasonable indulgence

† Spotf. 278. Crawf. Mem, 289. Cald. ii. 522.

made all zealous protestants remember that circumstance in his administration with great praise †.

Morton, to whom none of these particulars were unknown, thought this the proper juncture for setting to work the instruments which he had been preparing. Having gained the confidence of the earl of Mar, and of the countess his mother, he insinuated to them, that Alexander Erskine had formed a plot to deprive his nephew of the government of Stirling castle, and the custody of the king's person; and easily induced an ambitious woman, and a youth of twenty, to employ force to prevent this supposed injury. The earl repairing suddenly to Stirling, and being admitted as usual into the castle with his attendants, seized the gates early in the morning, and turned out his uncle, who dreaded no danger from his hands. The soldiers of the garrison submitted to him as their governor, and, with little danger and no effusion of blood, he became master both of the king's person, and the fortress *.

An event so unexpected occasioned great consternation. And though Morton's hand did not appear in the execution, he was universally believed to be the author of the attempt. The new counsellors saw it to be necessary, for their own safety, to change their measures, and, instead of pursuing him with such implacable resentment, to enter into terms of accommodation with an adversary, still so capable of creating them trouble. Four were named, on each side, to adjust their differences. They met not far from Dalkeith; and when they had brought matters near a conclusion, Morton, who was too sagacious not to improve the advantage which their security and their attention to the treaty afforded him, set out in the night time for Stirling, and having gained Murray of Tillibardin, Mar's uncle, was admitted by him into the castle; and managing matters there with his usual dexterity, he had soon more the command of the fort, than the earl himself. He was likewise admit-

† Spotf. 283. * Cald. ii. 535.

ted to a seat in the privy-council, and acquired the same ascendent in it ‡.

As the time appointed for the meeting of parliament at Edinburgh now approached, this gave him some anxiety. He was afraid of carrying the young king to a city whose inhabitants were so much at the devotion of the adverse faction. He was no less unwilling to leave James behind at Stirling. In order to avoid this dilemma, he issued a proclamation in the king's name, changing the place of meeting from Edinburgh to Stirling castle. This Athol and his party represented as a step altogether unconstitutional. The king, said they, is Morton's prisoner; the pretended counsellors are his slaves; a parliament, to which all the nobles may repair without fear, and where they may deliberate with freedom, is absolutely necessary for settling the nation, after disorders of such long continuance. But in an assembly, called contrary to all form, held within the walls of a garison, and overawed by armed men, what safety could members expect; what liberty could prevail in debate; or what benefit result to the public? The parliament met, however, on the day appointed, and, notwithstanding the protestation of the earl of Montrose and lord Lindsay, in the name of their party, proceeded to business. The king's acceptance of the government was confirmed; the act granted to Morton, for his security, ratified, some regulations with regard to the numbers and authority of the privy-council, were agreed upon; and a pension for life granted to the countess of Mar, who had been so instrumental in bringing about the late revolution †.

Mean while Argyll, Athol, and their followers took arms, upon the specious pretence of rescuing the king from captivity, and the kingdom from oppression. James himself, impatient of the servitude in which he was held, by a man whom he had long been taught to hate, secretly encouraged their enterprise; though, at the same time, he was obliged not only to disavow them in public, but to levy forces against them, and even to declare,

‡ Cald. ii. 536. † Cald. ii. 547. Parl. 5. Jac. 6.

by proclamation, that he was perfectly free from any constraint, either upon his person or his will. Both sides quickly took the field. Argyll and Athol were at the head of seven thousand men; the earl of Angus, Morton's nephew, met them with an army of five thousand strong; neither party, however, was eager to engage. Morton distrusted the fidelity of his own troops. The two earls were sensible that a single victory, however complete, would not be decisive; and as they were in no condition to undertake the siege of Stirling castle, where the king was kept, their strength would soon be exhausted, while Morton's own wealth, and the patronage of the queen of England, might furnish him with endless resources. By the mediation of Bowes, whom Elizabeth had sent into Scotland to negotiate an accommodation between the two factions, a treaty was concluded, in consequence of which, Argyll and Athol were admitted into the king's presence; some of their party were added to the privy-council; and a convention of nobles called, in order to bring all remaining differences to an amicable issue†.

So soon as James assumed the government into his own hands, he despatched the abbot of Dumfermling, to inform Elizabeth of that event; to offer to renew the alliance between the two kingdoms; and to demand possession of the estate which had lately fallen to him by the death of his grandmother the countess of Lennox. That lady's second son had left one daughter, Arabella Stewart, who was born in England. And as the chief objection against the pretensions of the Scottish line to the crown of England, was that maxim of English law, which excludes aliens from any right of inheritance within the kingdom, Elizabeth, by granting this demand, would have established a precedent in James's favour, that might have been esteemed decisive, with regard to a point, which it had been her constant care to keep undecided. Without suffering this delicate question to be tried, or allowing any new light to be thrown on that, which she considered as the great mystery of her reign,

† Crawf. Mem. 307.

she commanded the rents of the estate to be sequestered by lord Burleigh, master of the wards; and by this method of proceeding, gave the Scottish king early warning how necessary it would be to court her favour, if ever he hoped for success in claims of greater importance, but equally liable to be controverted‖.

After many delays, and with much difficulty, the contending nobles were at last brought to some agreement. But it was followed by a tragical event. Morton, in token of reconcilement, having invited the leaders of the opposite party to a great entertainment, Athol the chancellor was soon after taken ill, and died within a few days. The symptoms and violence of the disease gave rise to strong suspicions of his being poisoned; and tho' the physicians, who opened his body, differed in opinion as to the cause of the distemper, the chancellor's relations publicly accused Morton of that odious crime. And the advantage which visibly accrued to him, by the removal of a man of great abilities, and averse from all his measures, was sufficient proof of his guilt to the people, who are ever fond of imputing the death of eminent persons to extraordinary causes‡.

The office of chancellor was bestowed upon Argyll, whom this preferment reconciled, in a great measure, to Morton's administration. He had now recovered all the authority he possessed during his regency, and had entirely broken, or baffled, the power and cabals of his enemies. None of the great families remained to be the objects of his jealousy or to obstruct his designs, but that of Hamilton. The earl of Arran, the eldest brother, had never recovered the shock which he received from the ill success of his passion for the queen, and had now altogether lost his reason. Lord John, the second brother, was in possession of the family estate. Lord Claud was commendator of Paisley; both of them young men, ambitious and enterprising. Morton dreaded their influence in the kingdom; the courtiers hoped to share their spoils among them; and as all princes naturally view their successors with jealousy and hatred, it was ea-

‖ Camd. 461. ‡ Spotsw. 306.

fy to infuse these passions into the mind of the young king. A pretence was at hand to justify the most violent proceedings. The pardon, stipulated in the treaty of Perth, did not extend to those, who were accessory to the murder of the regent Murray or Lennox. Lord John and his brother were suspected of being the authors of both these crimes, and had been included in a general act of attainder on that account. Without summoning them to trial, or examining a single witness to prove the charge, this attainder was now thought sufficient to subject them to all the penalties which they would have incurred by being formally convicted. The earls of Morton, Mar, and Eglinton, together with the lords Ruthven, Boyd, and Cathcart, received a commission to seize their persons and estates. On a few hours warning, a considerable body of troops was ready, and marched towards Hamilton in hostile array. Happily the two brothers made their escape, though with great difficulty. But their lands were confiscated; the castles of Hamilton and Draffan besieged; those who defended them punished. The earl of Arran, though incapable, from his situation, of committing any crime, was involved, by a shameful abuse of law, in the common ruin of his family; and as if he, too, could have been guilty of rebellion, confined a close prisoner. These proceedings, so contrary to the fundamental principles of justice, were all ratified in the subsequent parliament*.

About this time Mary sent, by Naué her secretary, a letter to her son, together with some jewels of value, and a vest embroidered with her own hands. But as she gave him only the title of prince of Scotland, the messenger was dismissed, without being admitted into his presence†.

Though Elizabeth had, at this time, no particular reason to fear any attempt of the popish princes in Mary's favour, she still continued to guard her with the same anxious care. The acquisition of Portugal, on the one hand, and the defence of the Netherlands, on the other, fully employed the councils and arms of Spain. France,

* Crawf. Mem. 311. Spotsw. 306. † Crawf. Mem. 314.

torn in pieces by inteſtine commotions, and under a weak and capricious prince, deſpiſed and diſtruſted by his own ſubjects, was in no condition to diſturb its neighbours. Elizabeth had long amuſed that court by carrying on a treaty of marriage with the duke of Alençon, the king's brother. But whether at the age of forty-five, ſhe really intended to marry a prince of twenty; whether the pleaſure of being flattered and courted, made her liſten to the addreſſes of ſo young a lover, whom ſhe allowed to viſit her at two different times, and treated with the moſt diſtinguiſhing reſpect; or whether conſiderations of intereſt predominated in this as well as in every other tranſaction of her reign, are problems in hiſtory which we are not concerned to reſolve. During the progreſs of this negotiation, which was drawn out to an extraordinary length, Mary could expect no aſſiſtance from the French court, and ſeems to have held little correſpondence with it; and there was no period in her reign, wherein Elizabeth enjoyed more perfect ſecurity.

Morton ſeems at this time to have been equally ſecure; but his ſecurity was not ſo well founded He had weathered out one ſtorm, had cruſhed his adverſaries, and was again in poſſeſſion of the ſole direction of affairs. But as the king was now of an age when the character and diſpoſitions of the mind begin to unfold themſelves, and to become viſible, the ſmalleſt attention to theſe might have convinced him, that there was no reaſon to expect new and more dangerous attacks on his power. James early diſcovered that exceſſive attachment to favourites, which accompanied him through his whole life. This paſſion, which naturally ariſes from inexperience, and youthful warmth of heart, was, at his age, far from being culpable; nor could it well be expected that the choice of the objects, on whom he placed his affections, ſhould be made with great ſkill. The moſt conſiderable of them was Eſme Stewart, a native of France, and ſon of a ſecond brother of the earl of Lennox. He was diſtinguiſhed by the title of lord D'Aubigne, an eſtate in France, which deſcended to him from his anceſtors, on whom it had been conferred, in reward of their

valour and services to the French crown. He arrived in Scotland about this time, on purpose to demand the estate and title of Lennox, to which he pretended a legal right. He was received at first by the king with the respect due to so near a relation. The gracefulness of his person, the elegance of his dress, and his courtly behaviour made a great impression on James, who, even in his more mature years, was little able to resist these frivolous charms; and his affection flowed with its usual rapidity and profusion. Within a few days after Stewart's appearance at court, he was created lord Aberbrothock, soon after earl, and then duke of Lennox, governor of Dumbarton castle, captain of the guard, first lord of the bed-chamber, and lord high chamberlain. At the same time, and without any of the envy or interference which is usual among candidates for favour, captain James Stewart, the second son of lord Ochiltree, grew into great confidence. But notwithstanding this union, Lennox and captain Stewart were persons of very opposite characters. The former was naturally gentle, humane, candid; but unacquainted with the state of the country, and misled or misinformed by those whom he trusted; not unworthy to be the companion of the young king in his amusements, but utterly disqualified for acting as a minister, in directing his affairs. The latter was remarkable for all the vices, which render a man formidable to his country, and a pernicious counsellor to his prince; nor did he possess any one virtue to counterbalance these vices, unless dexterity in conducting his own designs, and an enterprising courage, superior to the sense of danger, may pass by that name. Unrestrained by religion, regardless of decency, and undismayed by opposition, he aimed at objects seemingly unattainable; but under a prince void of experience, and blind to all the defects of those who had gained his favour, his audacity was successful; and honours, wealth, and power were the reward of his crimes.

Both the favourites concurred in employing their whole address to undermine Morton's credit, which alone obstructed their full possession of power. And as James had been bred up with an aversion for that no-

bleman, who endeavoured rather to maintain the authority of a tutor, than to act with the obsequiousness of a minister, they found it no difficult matter to accomplish their design. Morton, who could no longer keep the king shut up within the walls of Stirling castle, having called a parliament to meet at Edinburgh, brought him thither. James made his entry into the capital with great solemnity; the citizens received him with the loudest acclamations of joy, and with many expensive pageants, according to the mode of that age. After a long period of thirty-seven years, during which Scotland had been subjected to the delegated power of regents, or to the feeble government of a woman; and had suffered all the miseries of civil war, and felt the insolence of foreign armies, the nation rejoiced to see the sceptre once more in the hands of a king; and fond even of that shadow of authority, which a prince of fifteen could possess, they flattered themselves that union, order and tranquillity would now be restored to the kingdom. James opened the parliament, 1579, with extraordinary pomp, but nothing remarkable passed in it.

These demonstrations, however, of the people's love and attachment to their sovereign, encouraged the favourites to continue their insinuations against Morton; and as the king now resided in the palace of Holyrood-house, to which all his subjects had access, the cabal against the earl grew daily stronger, and the intrigue which occasioned his fall, ripened gradually.

Morton began to be sensible of his danger, and endeavoured to put a stop to the career of Lennox's preferment, by representing him as a formidable enemy to the reformed religion, a secret agent in favour of popery, and a known emissary of the house of Guise. The clergy, apt to believe every rumour of this kind, spread the alarm among the people. But Lennox, either out of complaisance to his master, or convinced by the arguments of some learned divines whom the king appointed to instruct him in the principles of the protestant religion, publicly renounced the errors of popery, in the church of St. Giles, and declared himself a member of the church of Scotland, by signing her Confession of

Faith. This, though it did not remove all ſuſpicions, nor ſilence ſome zealous preachers, abated, in a great degree, the force of the accuſation*.

On the other hand, a rumour prevailed that Morton was preparing to ſeize the king's perſon and to carry him into England. Whether deſpair of maintaining his power by any other means, had driven him to make any overture of that kind to the Engliſh court, or whether it was a calumny invented by his adverſaries to render him odious, cannot now be determined with certainty. As he declared at his death that ſuch a deſign had never entered into his thoughts, the latter ſeems to be moſt probable. It afforded a pretence, however, for reviving the office of lord chamberlain, which had been for ſome time diſuſed. That honour was conferred on Lennox. Alexander Erſkine, Morton's capital enemy, was his deputy; they had under them a band of gentlemen, who were appointed conſtantly to attend the king, and to guard his perſon†.

Morton was not ignorant of what his enemies intended to inſinuate by ſuch unuſual precautions for the king's ſafety; and as his laſt reſource, applied to Elizabeth, whoſe protection had often ſtood him in ſtead in his greateſt difficulties. In conſequence of this application, Bowes, her envoy, accuſed Lennox of practices againſt the peace of the two kingdoms, and inſiſted, in her name, that he ſhould inſtantly be removed from the privy-council. Such an unprecedented demand was conſidered by the counſellors as an affront to the king, and an encroachment on the independency of the kingdom. They affected to call in queſtion the envoy's powers, and upon that pretence refuſed him farther audience. He retired in diſguſt, and without taking leave; ſir Alexander Home was ſent to expoſtulate with Elizabeth on the ſubject. After the treatment which her envoy had received, Elizabeth thought it below her dignity to admit Home into her preſence. Burleigh, to whom he was commanded to impart his commiſſion, reproached

* Crawf. Mem. 319. Spotſ. 308. † Crawf. Mem. 320.

him with his maſter's ingratitude towards a benefactreſs who had placed the crown on his head, and required him to adviſe the king to beware of ſacrificing the friendſhip of ſo neceſſary an ally to the giddy humours of a young man, without experience, and ſtrongly ſuſpected of principles and attachments incompatible with the happineſs of the Scottiſh nation.

This accuſation of Lennox, haſtened, in all probability, Morton's fall. The act of indemnity, which he had obtained when he reſigned the regency, was worded with ſuch ſcrupulous exactneſs, as almoſt ſcreened him from any legal proſecution. The murder of the late king was the only crime which could not, with decency, be inſerted in a pardon granted by his ſon. Here Morton ſtill lay open to the penalties of the law, and captain Stewart, who ſhunned no action, however deſperate, if it led to power or to favour, entered the council-chamber while the king and nobles were aſſembled, and falling on his knees, accuſed Morton of being acceſſory, or, according to the language of the Scottiſh law, *art and part*, in the conſpiracy againſt the life of his majeſty's father, and offered, under the uſual penalties, to verify this charge by legal evidence. Morton, who was preſent, heard this accuſation with firmneſs; and replied with a diſdainful ſmile, proceeding either from contempt of the infamous character of his accuſer, or from conſciouſneſs of his own innocence, "that his known zeal in puniſhing thoſe who were ſuſpected of that deteſtable crime, might well exempt himſelf from any ſuſpicion of being acceſſory to it; nevertheleſs, he would cheerfully ſubmit to a trial, either in that place or in any other court; and doubted not but his own innocence, and the malice of his enemies, would then appear in the cleareſt light." Stewart, who was ſtill on his knees, began to inquire how he would reconcile his beſtowing ſo many honours on Archibald Douglas, whom he certainly knew to be one of the murderers, with his pretended zeal againſt that crime. Morton was ready to anſwer. But the king commanded both of them to be removed. The earl was confined, firſt of all to his own houſe, and then committed to the caſtle of Edinburgh,

of which Alexander Erſkine was governor; and as if it had not been a ſufficient indignity to ſubject him to the power of one of his enemies, he was ſoon after carried to Dumbarton, of which Lennox had the command. A warrant was likewiſe iſſued for apprehending Archibald Douglas; but he, having received timely intelligence of the approaching danger, fled into England*.

The earl of Angus, who imputed theſe violent proceedings, not to hatred againſt Morton alone, but to the ancient enmity between the houſes of Stewart and of Douglas, and who believed that a conſpiracy was now formed for the deſtruction of the whole name, was ready to take arms in order to reſcue his kinſman. But Morton abſolutely forbade any ſuch attempt, and declared that he would rather ſuffer ten thouſand deaths, than bring an imputation upon his own character by ſeeming to decline a trial†.

Elizabeth did not fail to interpoſe, with warmth, in behalf of a man who had contributed ſo much to preſerve her influence over Scotland. The late tranſactions in that kingdom had given her great uneaſineſs. The power which Lennox had acquired independent of her was dangerous; the treatment her ambaſſadors had met with differed greatly from the reſpect with which the Scots were in uſe to receive her miniſters; and the attack now made on Morton fully convinced her that there was an intention to ſow the ſeeds of diſcord between the two nations, and to ſeduce James into a new alliance with France, or into a marriage with ſome popiſh princeſs. Full of theſe apprehenſions, ſhe ordered a conſiderable body of troops to be aſſembled on the borders of Scotland, and deſpatched Randolph as her ambaſſador into that kingdom. He addreſſed himſelf not only to James, and to his council, but to a convention of eſtates, met at that time. He began with enumerating the extraordinary benefits which Elizabeth had conferred on the Scottiſh nation: that without demanding a ſingle foot of land for herſelf, without en-

* Crawf. Mem. 323. † Johnſt. 64. Spotſw. 311.

croaching on the liberties of the kingdom in the ſmalleſt article, ſhe had, at the expence of the blood of her ſubjects and the treaſures of her crown, reſcued the Scots from the dominion of France, eſtabliſhed among them true religion, and put them in poſſeſſion of their ancient rights: that from the beginning ſhe had protected thoſe who eſpouſed the king's cauſe, and by her aſſiſtance alone, the crown was preſerved on his head, and all the attempts of the adverſe faction baffled: that an union, unknown to their anceſtors, but equally beneficial to both kingdoms, had ſubſiſted for a long period of years; and though ſo many popiſh princes had combined to diſturb this happy ſtate of things, her care and their conſtancy, had hitherto defeated all theſe efforts: that ſhe had obſerved of late an unuſual coldneſs, diſtruſt, and eſtrangement in the Scottiſh council, which ſhe could impute to none but to Lennox, a ſubject of France, a retainer to the houſe of Guiſe, bred up in the errors of popery, and ſtill ſuſpected of favouring that ſuperſtition. Not ſatisfied with having mounted ſo faſt to ſuch an uncommon height of power, which he exerciſed with all the raſhneſs of youth, and all the ignorance of a ſtranger; nor thinking it enough to have deprived the earl of Morton of the authority due to his abilities and experience, he had conſpired the ruin of that nobleman, who had often expoſed his life in the king's cauſe, who had contributed more than any other ſubject to place him on the throne, to reſiſt the encroachments of popery, and to preſerve the union between the two kingdoms. If any zeal for religion remained among the nobles in Scotland, if they wiſhed for the continuance of amity with England, if they valued the privileges of their own order, he called upon them, in the name of his miſtreſs, to remove ſuch a pernicious counſellor as Lennox from the preſence of the young king, to reſcue Morton out of the hands of his avowed enemy, and to ſecure to him the benefit of a fair and impartial trial; and if force were neceſſary towards accompliſhing a deſign ſo ſalutary to the king and kingdom, he promiſed them the protection of his miſtreſs in the enterpriſe,

and whatever affiftance they fhould demand, either of men or money †.

But thefe extraordinary remonftrances, accompanied with fuch an unufual appeal from the king to his fubjects, were not the only means employed by Elizabeth in favour of Morton, and againft Lennox. She perfuaded the prince of Orange to fend an agent into Scotland, and under colour of complimenting James on account of the valour which many of his fubjects had difplayed in the fervice of the States, to enter into a long detail of the reftlefs enterprifes of the popifh princes againft the proteftant religion; to befeech him to adhere inviolably to the alliance with England, the only barrier which fecured his kingdom againft their dangerous cabals; and, above all things, to diftruft the infinuations of thofe who endeavoured to weaken or to diffolve that union between the Britifh nations, which all the proteftants in Europe beheld with fo much pleafure *.

James's counfellors were too intent upon the deftruction of their enemy to liften to thefe remonftrances. The officious interpofition of the prince of Orange, the haughty tone of Elizabeth's meffage, and fo avowed an attempt to excite fubjects to rebel againft their fovereign, were confidered as unexampled infults on the majefty and independence of a crowned head. A general and evafive anfwer was given to Randolph. James prepared to affert his own dignity with fpirit. All thofe fufpected of favouring Morton were turned out of office, fome of them were required to furrender themfelves prifoners; the fencible men throughout the kingdom were commanded to take arms; and troops were levied and pofted on the borders. The Englifh ambaffador, finding that neither the public manifefto which he had delivered to the convention, nor his private cabals with the nobles, could excite them to arms, fled in the night-time out of Scotland, where libels againft him had been daily publifhed, and even, at-

† Cald. iii. 6. Strype, ii. 621. * Cald. iii. 9. See Append. No. VIII.

tempts made upon his life. In both kingdoms every thing wore an hostile aspect. But Elizabeth, though she wished to have intimidated the Scottish king by her preparations, had no inclination to enter into a war with him, and the troops on the borders, which had given such umbrage, were soon dispersed †.

The greater solicitude Elizabeth discovered for Morton's safety, the more eagerly did his enemies drive on their schemes for his destruction. Captain Stewart, his accuser, was first appointed tutor to the earl of Arran, and soon after both the title and estate of his unhappy ward, to which he advanced some frivolous claim, were conferred upon him. The new made peer was commanded to conduct Morton from Dumbarton to Edinburgh; and by that choice the earl was not only warned what fate he might expect, but had the cruel mortification of seeing his mortal enemy already loaded with honours, in reward of the malice which he had contributed to his ruin.

The records of the court of *Justiciary* at this period are lost. The account which our historians give of Morton's trial is inaccurate and unsatisfactory. The whole proceedings seem to have been violent, irregular, and oppressive. Arran, in order to extort evidence, tortured several of the earl's domestics with unusual cruelty. During the trial, great bodies of armed men were drawn up in different parts of the city. The jury was composed of the earl's known enemies; and though he challenged several of them, his objections were over-ruled. After a short consultation, his peers found him guilty of concealing, and of being *art and part* in the conspiracy against the life of the late king. The first part of the verdict did not surprise him, but he twice repeated the words *art and part* with some vehemence, and added, "God knows it is not so." The doom which the law decrees against a traitor was pronounced. The king, however, remitted the cruel and ignominious part of the sentence, and appointed

† Crawf. Mem. 328. Strype, ii. App. 138.

that he ſhould ſuffer death next day, by being beheaded ‖.

During that awful interval, Morton poſſeſſed the utmoſt compoſure of mind. He ſupped cheerfully; ſlept a part of the night in his uſual manner, and employed the reſt of his time in religious conferences, and in acts of devotion with ſome miniſters of the city. The clergyman who attended him, dealt freely with his conſcience, and preſſed his crimes home upon him. What he confeſſed with regard to the crime for which he ſuffered, is remarkable, and ſupplies, in ſome meaſure, the imperfection of our records. He acknowledged, that on his return from England after the death of Rizio, Bothwell had informed him of the conſpiracy againſt the king, which the queen, as he told him, knew of and approved; that he ſolicited him to concur in the execution of it, which at that time he abſolutely declined; that ſoon after, Bothwell himſelf, and Archibald Douglas, in his name, renewing their ſolicitations to the ſame purpoſe, he had required a warrant under the queen's hand, authorizing the attempt, and as that had never been produced, he had refuſed to be any farther concerned in the matter. "But," continued he, "as I neither conſented to this treaſonable act, nor "aſſiſted in the committing of it, ſo it was impoſ"ſible for me to reveal, or to prevent it. To whom "could I make the diſcovery? The queen was the au"thor of the enterpriſe. Darnly was ſuch a change"ling that no ſecret could be ſafely communicated to "him. Huntly and Bothwell, who bore the chief "ſway in the kingdom, were themſelves the perpetra"tors of the crime." Theſe circumſtances, it muſt be confeſſed, go ſome length towards extenuating Morton's guilt; and though his apology for the favour he had ſhewn to Archibald Douglas, whom he knew to be one of the conſpirators, be far leſs ſatisfactory, no uneaſy reflections ſeem to have diſquieted his own mind on that account *. When his keepers told him that

‖ Spotiſw. 314. Johnſt. 65. Crawf. Mem. 332. Cald. iii. 45. * Crawf. Mem. Append. iii.

the guards were attending, and all things in readiness, "I praise my God," said he, "I am ready likewise." Arran commanded these guards; and even in those moments, when the most implacable hatred is apt to relent, the malice of his enemies could not forbear this insult. On the scaffold, his behaviour was calm; his countenance and voice unaltered; and after some time spent in devotion, he suffered death with the intrepidity which became the name of Douglas. His head was placed on the public gaol of Edinburgh; and his body, after lying till sun-set on the scaffold, covered with a beggarly cloak, was carried by common porters to the usual burial-place of criminals. None of his friends durst accompany it to the grave, or discover their gratitude and respect by any symptoms of sorrow†.

Arran, no less profligate in private life, than audacious in his public conduct, soon after drew the attention of his countrymen, by his infamous marriage with the countess of March. Before he grew into favour at court, he had been often entertained in her husband's house, and without regarding the laws of hospitality or of gratitude, carried on a criminal intrigue with the wife of his benefactor, a woman young and beautiful, but according to the description of a contemporary historian, "intolerable in all the imperfections incident to "her sex." Impatient of any restraint upon their mutual desires, they, with equal ardour, wished to avow their union publicly, and to legitimate, by a marriage, the offspring of their unlawful passion. The countess petitioned to be divorced from her husband, for a reason which no modest woman will ever plead. The judges, over-awed by Arran, passed sentence without delay. And this infamous scene, was concluded by a marriage, solemnised with great pomp, and beheld by all ranks of men with the utmost horror‡.

A parliament was held this year, at the opening of which some disputes arose between Arran and earl now created duke of Lennox. Arran, haughty by nature, and pushed on by his wife's ambition, began to affect

† Crawf. Mem. 334. Spotsw. 314. ‡ Spotsw. 315.

an equality with the duke, under whose protection he had hitherto been contented to place himself. After various attempts to form a party in the council against Lennox, he found him fixed so firmly in the king's affections, that it was impossible to shake him; and rather than lose all interest at court, from which he was banished, he made the most humble submissions to the favourite, and again recovered his former credit. This rupture contributed, however, to render the duke still more odious to the nation. During the continuance of it, Arran affected to court the clergy, pretended an extraordinary zeal for the protestant religion, and laboured to confirm the suspicions which were entertained of his rival, as an emissary of the house of Guise, and a favourer of popery. As he was supposed to be acquainted with the duke's most secret designs, his calumnies were listened to with more credit than was due to his character. To the same cause we must ascribe several acts of parliament uncommonly favourable to the church, particularly one which abolished the practice introduced by Morton, of appointing but one minister to several parishes.

No notice hath been taken for some years of ecclesiastical affairs. While the civil government underwent so many extraordinary revolutions, the church was not free from convulsions. Two objects chiefly engrossed the attention of the clergy. The one was, the forming a system of discipline, or ecclesiastical polity. After long labour, and many difficulties, this was at last brought to some degree of perfection. The assembly solemnly approved of it and appointed it to be laid before the privy-council, in order to obtain the ratification of it in parliament. But, Morton, during his administration, and those who, after his fall, governed the king, were equally unwilling to see it carried into execution; and by starting difficulties, and throwing in objections, prevented it from receiving a legal sanction. The other point in view was, the abolition of the episcopal order. The bishops were so devoted to the king, to whom they owed their promotion, that the function itself was by some reckoned dangerous to civil liberty.

Being allowed a ſeat in parliament, and diſtinguiſhed by titles of honour, theſe not only occaſioned many avocations from their ſpiritual employments, but ſoon rendered their character and manners extremely different from thoſe of the clergy in that age. The nobles viewed their power with jealouſy; the populace conſidered their lives as profane; and wiſhed their downfal with equal ardour. The perſonal emulation between Melvil and Adamſon, a man of learning, and eminent for his popular eloquence, who was promoted, on the death of Douglas, to be archbiſhop of St. Andrews, mingled itſelf with the paſſions on each ſide, and heightened them. Attacks were made in every aſſembly on the order of biſhops; their privileges were gradually circumſcribed; and at laſt an act was paſſed, declaring the office of biſhop, as it was then exerciſed within the realm, to have neither foundation nor warrant in the word of God; and requiring, under pain of excommunication, all who now poſſeſſed that office, inſtantly to reſign it, and to abſtain from preaching or adminiſtering the ſacraments, until they ſhould receive permiſſion from the aſſembly. The court did not acquieſce in this decree.

A vacancy happening ſoon after in the ſee of Glaſgow, Montgomery miniſter at Stirling, a man vain, fickle, preſumptuous, and more apt, by the blemiſhes in his character, to have alienated the people from an order already beloved, than to reconcile them to one which was the object of their hatred, ſtruck up an infamous bargain with Lennox, and on his recommendation was choſen archbiſhop. The preſbytery of Stirling, of which he was a member, the preſbytery of Glaſgow, whither he was to be tranſlated, the general aſſembly, vied with each other in proſecuting him on that account. In order to ſcreen Montgomery, James made trial both of gentle and of rigorous meaſures, and both were equally ineffectual. The general aſſembly was juſt ready to pronounce againſt him the ſentence of excommunication, when a herald entered, and commanded them in the king's name, and under pain of rebellion, to ſtop further proceedings. Even this in-

junction they despised; and though Montgomery, by his tears and seeming penitence, procured a short respite, the sentence was at last issued by their appointment, and published in all the churches throughout the kingdom.

The firmness of the clergy in a collective body was not greater than the boldness of some individuals, particularly of the ministers of Edinburgh. They inveighed daily against the corruptions in the administration; and, with the freedom of speech admitted into the pulpit in that age, named Lennox and Arran as the chief authors of the grievances under which the church and kingdom groaned. The courtiers, in their turn, complained to the king of the insolent and seditious spirit of the clergy. In order to check the boldness of their discourses, James issued a proclamation, commanding Dury, one of the most popular ministers, not only to leave the town, but to abstain from preaching in any other place. Dury complained to the judicatories of the church, of this encroachment upon the immunities of his office. They approved of the doctrine which he delivered; and he determined to disregard the royal proclamation. But the magistrates being determined to compel him to leave the city, according to the king's orders, he was obliged to abandon his charge, after protesting publicly, at the cross of Edinburgh, against the violence which was put upon him. The people accompanied him to the gates with tears and lamentations; and the clergy denounced the vengeance of heaven against the authors of this outrage *.

In this perilous situation stood the church, the authority of its judicatories called in question, and the liberty of the pulpit restrained, when a sudden revolution in the civil government procured them unexpected relief.

The two favourites, by their ascendent over the king, possessed uncontrolled power in the kingdom, and exercised it with the utmost wantonness. James usually resided at Dalkeith, or Kinneil, the seats of Lennox and of Arran, and was attended by such company, and em-

* Cald. Assemb. 1576—1582. Spotsw. 277, &c.

ployed in such amusements, as did not suit his dignity. The services of those who had contributed most to place the crown on his head were but little remembered. Many who had opposed him with the greatest virulence, enjoyed the rewards and honours to which the others were entitled. Exalted notions of regal prerogative, utterly inconsistent with the constitution of Scotland, being instilled by them into the mind of the young monarch, unfortunately made, at that early age, a deep impression there, and became the source of almost all his future errors in the government of both kingdoms *. Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the slightest neglect of any of the numerous forms which are peculiar to feudal holdings, they were fined with unusual and intolerable rigour. The lord chamberlain revived the obsolete jurisdiction of his office over the boroughs, and they were subjected to exactions no less grievous. A design seemed likewise to have been formed to exasperate Elizabeth, and to dissolve the alliance with her, which all good protestants esteemed the chief security of their religion in Scotland. A close correspondence was set on foot between the king and his mother, and considerable progress made towards uniting their titles to the crown, by such a treaty of association as Maitland had projected; which could not fail of endangering or diminishing his authority, and must have proved fatal to those who had acted against her with greatest vigour †.

All these circumstances irritated the impatient spirit of the Scottish nobles, who resolved to tolerate no longer the insolence of the two minions, or to stand by, while their presumption and inexperience ruined both the king and kingdom. Elizabeth, who, during the administration of the four regents, had the entire direction of the affairs of Scotland, felt herself deprived of all influence in that kingdom ever since the death of Morton, and was ready to countenance any attempt to rescue the king out of the hands of favourites who were lead-

* Cald. iii. 152. † Cald. iii. 157.

ing him into meaſures ſo repugnant to all her views. The earls of Mar and Glencairn, lord Ruthven, lately created earl of Gowrie, lord Lindſay, lord Boyd, the tutor of Glamis, the maſter of Oliphant, with ſeveral barons and gentlemen of diſtinction, entered into a combination for that purpoſe; and as changes in adminiſtration, which, among poliſhed nations, are brought about ſlowly and ſilently, by artifice and intrigue, were in that rude age effected ſuddenly and by violence, the king's ſituation, and the ſecurity of the favourites, encouraged the conſpirators to have immediate recourſe to force.

James, after having reſided for ſome time in Athol, where he enjoyed his favourite amuſement of hunting, was now returning towards Edinburgh with a ſmall train. He was invited to Ruthven caſtle, which lay in his way; and as he ſuſpected no danger, he went thither in hopes of farther ſport. The multitude of ſtrangers whom he found there gave him ſome uneaſineſs; and as thoſe who were in the ſecret arrived every moment from different parts, the appearance of ſo many new faces increaſed his fears. He diſſembled, however, and next morning made ready for the field, expecting to find there ſome opportunity of making his eſcape. But the nobles entering his bed chamber preſented a memorial againſt the illegal and oppreſſive actions of his two favourites, whom they repreſented as moſt dangerous enemies to the religion and liberties of the nation. James, though he received this remonſtrance with the complaiſance which was neceſſary in his preſent ſituation, was extremely impatient to be gone; but as he approached the door of the apartment, the tutor of Glamis rudely ſtopped him. The king complained, expoſtulated, threatened, and finding all theſe without effect, burſt into tears: "No matter," ſaid Glamis fiercely, "better children weep than bearded men." Theſe words made a deep impreſſion on the king's mind, and were never forgotten. The conſpirators, without regarding his fears or indignation, diſmiſſed ſuch of his followers as they ſuſpected; allowed none but their own party to have acceſs to him; and, though they treated

him with great respect, guarded his person with the utmost care. This enterprise is usually called by our historians, *The raid of Ruthven**.

Lennox and Arran were astonished to the last degree at an event so unexpected, and so fatal to their power. The former endeavoured, but without success, to excite the inhabitants of Edinburgh to take arms in order to rescue their sovereign from captivity. The latter, with his usual impetuosity, mounted on horseback the moment he heard what had befallen the king, and with a few followers rode towards Ruthven castle; and as a considerable body of the conspirators, under the command of the earl of Mar, lay in his way ready to oppose him, he separated himself from his companions, and with two attendants arrived at the gate of the castle. At the sight of a man so odious to his country, the indignation of the conspirators rose, and instant death must have been the punishment of his rashness, if the friendship of Gowrie, or some other cause not explained by our historians, had not saved a life so pernicious to the kingdom. He was confined, however, to the castle of Stirling, without being admitted into the king's presence.

The king, though really the prisoner of his own subjects, with whose conduct he could not help discovering many symptoms of disgust, was obliged to publish a proclamation, signifying his approbation of their enterprise, declaring that he himself was at full liberty, without any restraint or violence offered to his person; and forbidding any attempt against those concerned in the *Raid of Ruthven*, under pretence of rescuing him out of their hands. At the same time, he commanded Lennox to leave Scotland before the twentieth of September†.

Soon after, sir George Carey and Bowes arrived as ambassadors from Elizabeth. The pretext of their embassy was to inquire after the king's safety; to encourage and to countenance the conspirators was the real motive of it. By their intercession, the earl of Angus, who, ever since the death of his uncle Morton, had liv-

* Cald. iii. 134. Spotsw. 320. Melv. 357.
† Cald. iii. 135, 138.

ed in exile, obtained leave to return. And the acceffion of a nobleman fo powerful and fo popular ftrengthened the faction †.

Lennox, whofe amiable and gentle qualities had procured him many friends, and who received private affurances that the king's favour towards him was in no degree abated, feemed refolved, at firft, to pay no regard to a command extorted by violence, and no lefs difagreeable to James, than it was rigorous with regard to himfelf. But the power of his enemies, who were mafters of the king's perfon, who were fecretly fupported by Elizabeth, and openly applauded by the clergy, deterred him from any enterprife, the fuccefs of which was dubious, and the danger certain, both to himfelf and to his fovereign. He put off the time of his departure, however, by various artifices, in expectation either that James might make his efcape from the confpirators, or that fortune might prefent fome more favourable opportunity of taking arms for his relief.

On the other hand, the confpirators were extremely folicitous not only to fecure the approbation of their countrymen, but to obtain fome legal fanction of their enterprife. For this purpofe they publifhed a long declaration, containing the motives which had induced them to venture on fuch an irregular ftep, and endeavoured to heighten the public indignation againft the favourites, by reprefenting, in the ftrongeft colours, their inexperience and infolence, their contempt of the nobles, their violation of the privileges of the church, and their oppreffion of the people. They obliged the king, who could not with fafety refufe any of their demands, to grant them a remiffion in the moft ample form; and not fatisfied with that, they applied to the affembly of the church, and eafily procured an act, declaring, "that they had done good and acceptable fervice to "God, to their fovereign, and to their native coun- "try, and requiring all fincere proteftants to concur "with them in carrying forward fuch a laudable enter-

† Cald. iii. 152.

prise. And in order to add the greater weight to this act, every minister was enjoined to read it in his own pulpit, and to inflict the censures of the church on those who set themselves in opposition to so good a cause. A convention of estates assembled a few days after, passed an act to the same effect, and granted full indemnity to the conspirators for every thing they had done *.

James was conducted by them, first to Stirling, and afterwards to the palace of Holyrood-house; and though he was received every where with the external marks of respect due to his dignity, his motions were carefully observed, and he was under a restraint no less strict than at the first moment when he was seized by the conspirators. Lennox, after eluding many commands to depart out of the kingdom, was at last obliged to begin his journey. He lingered, however, for some time in the neighbourhood of Edinburgh, as if he had still intended to make one effort towards restoring the king to liberty. But either from the gentleness of his own disposition, averse to bloodshed and the disorders of civil war, or from some other cause unknown to us, he abandoned the design and set out for France, by the way of England. The king issued the order for his departure, with no less reluctance than the duke obeyed it; and both mourned a separation, which neither of them had power to prevent. Soon after his arrival in France, the fatigue of the journey, or the anguish of his mind, threw him into a fever. In his last moments he discovered such a firm adherence to the protestant faith, as fully vindicates his memory from an imputation of an attachment to popery, with which he had been uncharitably loaded in Scotland†. As he was the earliest, and best beloved, he was, perhaps, the most deserving, though not the most able, of all James's favourites. The warmth and tenderness of his master's affection for him was not abated by death itself. By many acts of kindness and generosity towards his

* Cald. iii. 177, 187, 200. Spotsw. 322.

† Spotsw. 324. Cald. iii. 172.

posterity, the king not only did great honour to the memory of Lennox, but set his own character in one of the most favourable points of view.

The success of the conspiracy which deprived James of liberty made great noise over all Europe, and at last reached the ears of Mary in the prison to which she was confined. As her own experience had taught her what injuries a captive prince is exposed to suffer; and as many of those who were now concerned in the enterprise against her son, were the same persons who she considered as the chief authors of her own misfortunes, it was natural for the tenderness of a mother to apprehend that the same calamities were ready to fall on his head; and such a prospect did not fail of adding to the distress and horror of her own situation. In the anguish of her heart she wrote to Elizabeth, complaining in the bitterest terms of the unprecedented rigour with which she herself had been treated, and beseeching her not to abandon her son to the mercy of his rebellious subjects; nor permit him to be involved in the same misfortunes under which she had so long groaned. The peculiar vigour and acrimony of style, for which this letter is remarkable, discover both the high spirit of the Scottish queen, unsubdued by her sufferings, and the violence of her indignation at Elizabeth's artifices and severity. But it was ill adapted to gain the end she had in view, and accordingly it neither procured any mitigation of the rigour of her own confinement, nor any interposition in favour of the king §.

Henry III. who, though he feared and hated the princes of Guise, was often obliged to court their favour, interposed with warmth, in order to extricate James out of the hands of a party so entirely devoted to the English interest. He commanded M. de la Motte Fenelon, his ambassador at the court of England to repair to Edinburgh, and to contribute his utmost endeavours towards placing James in a situation more suitable to his dignity. As Elizabeth could not, with decency, refuse him liber-

§ Camd. 489. See Appendix, No. IX.

ty to execute this commission, she appointed Davison to attend him into Scotland, as her envoy, under colour of concurring with him in the negotiation, but in reality to be a spy upon his motions, and to obstruct his success. James, whose title to the crown had not hitherto been recognised by any of the princes on the continent, was extremely fond of such an honourable embassy from the French monarch; and on that account, as well as for the sake of the errand on which he came, received Fenelon with great respect. The nobles, under whose power the king was, did not relish this interposition of the French court, which had long lost its ancient influence over the affairs of Scotland. The clergy were alarmed at the danger to which religion would be exposed, if the princes of Guise, should recover any ascendent over the public councils. And though the king tried every method for restraining them within the bounds of decency, they declaimed against the court of France, against the princes of Guise, against the ambassador, against entering into any alliance with such notorious persecutors of the church of God, with a vehemence which no regular government would now tolerate, but which was then extremely common. The ambassador watched by Davison, distrusted by the nobles, and exposed to the insults of the clergy and of the people, returned into England without procuring any change in the king's situation, or receiving any answer to a proposal which he made, that the government should be carried on in the joint names of James and the queen his mother §.

Meanwhile James, though he dissembled with great art, became every day more uneasy under his confinement; his uneasiness rendered him continually attentive to find out a proper opportunity for making his escape; and to this attention he at last owed his liberty, which the king of France was not able, nor the queen of England willing, to procure for him. As the conspirators had forced Lennox out of the kingdom, and kept Arran at a distance from court, they grew secure, and

§ Cald. iii. 207. Spotf. 324. Murdin, 372, &c. See Appendix, No. IX.

imagining that time had reconciled the king to them, and to his situation, they watched him with little care. Some occasions of discord had arisen among themselves; and the French ambassador, by fomenting these during the time of his residence in Scotland, had weakened the union, in which alone their safety consisted*. Colonel William Stewart, the commander of the band of gentlemen who guarded the king's person, being gained by James, had the principal merit in the scheme for restoring his master to liberty. Under pretence of paying a visit to the earl of March, his grand uncle, James was permitted to go from Falkland to St. Andrews. That he might not create any suspicion, he lodged at first in an open defenceless house in the town, but pretending a curiosity to see the castle, no sooner was he entered with some of his attendants whom he could trust, than colonel Stewart commanded the gates to be shut, and excluded all the rest of his train. Next morning the earls of Argyll, Huntly, Crawford, Montrose, Rothes, with others to whom the secret had been communicated, entered the town with their followers, and though Mar, with several of the leaders of the faction, appeared in arms, they found themselves so far outnumbered, that it was in vain to think of recovering possession of the king's person, which had been in their power somewhat longer than ten months. James was naturally of so soft and ductile a temper, that those who were near his person commonly made a deep impression on his heart, which was formed to be under the sway of favourites. And as he remained during so long a time, and at a period of life when resentments are rather violent than lasting, implacable and unreconciled to the conspirators, they must either have improved the opportunities of insinuating themselves into favour with little dexterity, or the indignation with which this first insult to his person and authority filled him, must have been very great.

His joy at his escape was youthful and excessive. He resolved, however, by the advice of sir James Melvil, and his wisest counsellors, to act with the utmost

* Camd. 482.

moderation. Having called into his presence the leaders of both factions, the neighbouring gentry, the deputies of the adjacent boroughs, and the ministers, and the heads of colleges, he declared, that although he had been held under restraint for some time by violence, he would not impute that as a crime to any man, but, without remembering the irregularities which had been so frequent during his minority, would pass a general act of oblivion, and govern all his subjects with undistinguishing and equal affection. And as an evidence of his sincerity, he visited the earl of Gowrie at Ruthven castle, and granted him a full pardon of any guilt he had contracted, by the crime committed in that very place †.

But James did not adhere long to this prudent and moderate plan. His former favourite, the earl of Arran, had been permitted for some time to reside at Kinneil, one of his country seats. As soon as the king felt himself at liberty, his love for him began to revive, and he expressed a strong desire to see him. The courtiers violently opposed the return of a minion, whose insolent and overbearing temper they dreaded, as much as the nation detested his crimes. James, however, continued his importunity, and promising that he should continue with him no longer than one day, they were obliged to yield. This interview rekindled ancient affection; the king forgot his promise; Arran regained his ascendant over him, and within a few days resumed the exercise of power, and all the arrogance of an undeserving favourite, and all the rashness peculiar to himself §.

The first effect of his influence was a proclamation with regard to those concerned in the *Raid of Ruthven*. They were required to acknowledge their crime in the humblest manner; and the king promised to grant them a full pardon, provided their future conduct were such as did not oblige him to remember past miscarriages. The tenour of this proclamation was extremely different from the act of oblivion which the conspi-

† Melv. 272. § Ibid. 274.

rators had been encouraged to expect. Nor did any of them reckon it safe to rely on a promise clogged with such an equivocal condition, and granted by a young prince under the influence of a minister, void of faith, regardless of decency, and transported by the desire of revenge even beyond the usual ferocity of his temper. Many of the leaders, who had at first appeared openly at court, retired to their own houses; and, foreseeing the dangerous storm which was gathering, began to look out for a retreat in foreign countries ‡.

Elizabeth, who had all along protected the conspirators, was extremely disgusted with measures which tended so visibly to their destruction, and wrote to the king a harsh and haughty letter, reproaching him in a style very uncommon among princes, with breach of faith in recalling Arran to court, and with imprudence in proceeding so rigorously against his best and most faithful subjects. James, with a becoming dignity, replied, that promises extorted by violence, and conditions yielded out of fear, were no longer binding, when these were removed; that it belonged to him alone to chuse what ministers he would employ in his service; and that though he resolved to treat the conspirators at Ruthven with the utmost clemency, it was necessary, for the support of his authority, that such an insult on his person should not pass altogether uncensured ‖.

Elizabeth's letter was quickly followed by Walsingham her secretary, whom she appointed her ambassador to James, and who appeared at the Scottish court with a splendour and magnificence well calculated to please and dazzle a young prince. Walsingham was admitted to several conferences with James himself, in which he insisted on the same topics contained in the letter, and the king repeated his former answers.

After suffering several indignities from the arrogance of Arran and his creatures, he returned to England,

‡ Melv. 278. Spotsw. 326. Cald. iii. 330. ‖ Melv. 278.

without concluding any new treaty with the king. Walfingham was, next to Burleigh, the minifter on whom the chief weight of the English adminiftration refted; and when a perfon of his rank ftept fo far out of the ordinary road of bufinefs, as to undertake a long journey in his old age, and under a declining ftate of health, fome affair of confequence was fuppofed to be the caufe, or fome important event was expected to be the effect of this meafure. But as nothing confpicuous either occafioned or followed this embaffy, it is probable that Elizabeth had no other intention in employing this fagacious minifter, than to difcover, with exactnefs, the capacity and difpofition of the Scottifh king, who was now arrived at a time of life when, with fome degree of certainty, conjectures might be formed concerning his character and future conduct. As James poffeffed talents of that kind, which make a greater figure in converfation than in action, he gained a great deal by this interview with the Englifh fecretary, who, notwithftanding the cold reception he met with, gave fuch an advantageous reprefentation of his abilities, as determined Elizabeth to treat him, henceforward, with greater decency and refpect*.

Elizabeth's eagernefs to protect the confpirators rendered James more violent in his proceedings againft them. As they had all refufed to accept of pardon upon the terms which he had offered, they were required, by a new proclamation to furrender themfelves prifoners. The earl of Angus alone complied; the reft either fled into England, or obtained the king's licence to retire into foreign parts. A convention of eftates was held, the members of which, deceived by an unworthy artifice of Arran's, declared thofe concerned in the *Raid of Ruthven* to have been guilty of high treafon; appointed the act paffed laft year approving of their conduct to be expunged out of the records; and engaged to fupport the king in profecuting the fugitives with the utmoft rigour of law.

The confpirators, though far from having done any

* Melv. 293. Cald. iii. 258. Jebb. ii. 536.

thing that was uncommon in a barbarous age, among mutinous nobles, and under an unsettled state of government, must be acknowledged to have been guilty of an act of treason against their sovereign; and James, who considered their conduct in this light, had good reason to boast of his clemency, when he offered to pardon them upon confessing their crime. But, on the other hand, it must be allowed that, after the king's voluntary promise of a general oblivion, they had some reason to complain of breach of faith, and could not, without the most unpardonable imprudence, have put their lives in Arran's power.

The interest of the church was considerably affected by these contrary revolutions. While the conspirators kept possession of power, the clergy not only recovered, but extended, their privileges. As they had formerly declared the hierarchy to be unlawful, they took some bold measures towards exterminating the episcopal order out of the church; and it was owing more to Adamson's dexterity in perplexing and lengthening out the process for that purpose, than to their own want of zeal, that they did not deprive, and perhaps excommunicate all the bishops in Scotland. When the king recovered his liberty, things put on a very different aspect. The favour bestowed upon Arran, the enemy of every thing decent and sacred, and the rigorous prosecution of those nobles who had been the most zealous defenders of the protestant cause, were considered as sure presages of the approaching ruin of the church. The clergy could not conceal their apprehensions, nor view this impending danger in silence. Drury, who had been restored to his office as one of the ministers of Edinburgh, openly applauded the *Raid of Ruthven* in the pulpit, at which the king was so enraged, that notwithstanding some symptoms of his submission, he commanded him to resign his charge in the city. Mr. Andrew Melvil, being summoned before the privy-council, to answer for the doctrine he had uttered in a sermon at St Andrews, and accused of comparing the present grievances of the nation with those under James III. and of intimating obliquely that they ought to be

redreſſed in the ſame manner, thought it incumbent on him to behave with great firmneſs. He declined the juriſdiction of a civil court, in a cauſe purely eccleſiaſtical; the preſbytery of which he was a member, had, as he contended, the ſole right to call him to account for words ſpoken in the pulpit; and neither the king nor council could judge, in the firſt inſtance, of the doctrine delivered by preachers, without violating the immunities of the church. This exemption from civil juriſdiction was a privilege which the popiſh eccleſiaſtics, admirable judges of whatever contributed to increaſe the luſtre or power of their body, had long ſtruggled for, and had at laſt obtained. If the ſame plea had now been admitted, the proteſtant clergy would have become independent on the civil magiſtrate; and an order of men extremely uſeful to ſociety while they inculcate thoſe duties which tend to promote its happineſs and tranquillity, might have become no leſs pernicious, by teaching, without fear or controul, the moſt dangerous principles, or by exciting their hearers to the moſt deſperate and lawleſs actions. James, jealous to exceſs of his prerogative, was alarmed at this daring encroachment on it; and as Melvil, by his learning and zeal, had acquired the reputation and authority of head of the party, he reſolved to puniſh him with the rigour which that pre-eminence rendered neceſſary, and to diſcourage, by a timely ſeverity, the revival of ſuch a dangerous claim. Melvil, however, avoided his rage, by flying into England; and the pulpits reſounded with complaints that the king had extinguiſhed the light of learning in the kingdom, and deprived the church of the ableſt, and moſt faithful guardian of its liberties and diſcipline †.

Theſe violent declamations of the clergy againſt the meaſures of the court were extremely acceptable to the people. The conſpirators, though driven out of the kingdom, ſtill poſſeſſed great influence there; and as they had every thing to fear from the reſentment of a young prince, irritated by the furious counſels of Ar-

† Spotſw. 330. Cald. iii. 304.

ran, they never ceased soliciting their adherents to take arms in their defence. Gowrie, the only person among them who had submitted to the king, and accepted of a pardon, soon repented of a step which lost him the esteem of one party, without gaining the confidence of the other; and, after suffering many mortifications from the king's neglect, and the haughtiness of Arran, he was at last commanded to leave Scotland, and to reside in France. While he waited at Dundee for an opportunity to embark, he was informed that the earls of Angus, Mar, and the tutor of Glamis, had concerted a scheme for surprising the castle of Stirling. In his situation, little persuasion was necessary to draw him to engage in it. Under various pretexts he put off his voyage, and lay ready to take arms on the day fixed by the conspirators for the execution of their enterprise. His lingering so long at Dundee, without any apparent reason, awakened the suspicion of the court, proved fatal to himself, and disappointed the success of the conspiracy. Colonel William Stewart surrounded the house where he lodged with a body of soldiers, and, in spite of his resistance, took him prisoner. Two days after, Angus, Mar, and Glamis seized the castle of Stirling, and erecting their standard there, published a manifesto, declaring that they took arms for no other reason but to remove from the king's presence a minion who had acquired power by the most unworthy actions, and who exercised it with the most intolerable insolence. The account of Gowrie's imprisonment struck a damp upon their spirits. They imputed it to his own treachery, and suspected, that as he had formerly deserted, he had now betrayed them. At the same time, a sum of money, with which Elizabeth had promised to supply them, not being duly paid, and their friends and vassals coming in slowly, they appeared irresolute and disheartened; and as the king, who acted with great vigour, advanced towards them at the head of twenty thousand men, they fled precipitately towards England, and with difficulty

made their escape *. This rash and feeble attempt produced such effects as usually follow disappointed conspiracies. It not only hurt the cause for which it was undertaken, but added strength and reputation to the king: confirmed Arran's power; and enabled them to pursue their measures with more boldness and greater success. Gowrie was the first victim of their resentment. After a very informal trial, a jury of peers found him guilty of treason, and he was publicly beheaded at Stirling.

To humble the church was the king's next step. But as it became necessary, for this purpose, to call in the aid of the legislative authority, a parliament was hastily summoned; and while so many of the nobles were banished out of the kingdom, or forbidden to appear in the king's presence; while Arran's haughtiness kept some at a distance, and intimidated others; the meeting consisted only of those who were absolutely at the devotion of the court. In order to conceal the laws which were framing from the knowledge of the clergy, the lords of the articles were sworn to secrecy; and when some of the ministers, who either suspected or were informed of the danger, deputed one of their number to declare their apprehensions to the king, he was seized at the palace-gate, and carried to a distant prison. Others, attempting to enter the parliament-house, were refused admittance †; and such laws were passed, as totally overturned the constitution and discipline of the church. The refusing to acknowledge the jurisdiction of the privy-council, the pretending an exemption from the authority of the civil courts; the attempting to diminish the rights and privileges of any of the three estates in parliament, were declared to be high treason. The holding assemblies, whether civil or ecclesiastical, without the king's permission or appointment; the uttering, either privately or publicly; in sermons or in declamations, any false and scandalous re-

* Home's Hist. of House of Dougl. 379. Spotf. 330.
† Cald. iii. 365.

ports againſt the king, his anceſtors, or miniſters were pronounced capital crimes †.

When theſe laws were publiſhed at the croſs of Edinburgh, according to the ancient cuſtom, Mr. Robert Pont, miniſter of St. Cuthberts, and one of the lords of ſeſſion, ſolemnly proteſted againſt them, in the name of his brethren, becauſe they had been paſſed without the knowledge or conſent of the church. Ever ſince the Reformation, the pulpits and eccleſiaſtical judicatories had both been eſteemed ſacred. In the former the clergy had been accuſtomed to cenſure and admoniſh with unbounded liberty. In the latter, they exerciſed an uncontrouled and independent juriſdiction. The blow was now aimed at both theſe privileges. Theſe new ſtatutes would have rendered churchmen as inconſiderable as they were indigent: and as the avarice of the nobles had ſtripped them of the wealth, the king's ambition was about to deprive them of the power, which once belonged to their order. No wonder the alarm was univerſal, and the complaints loud. All the miniſters of Edinburgh forſook their charge and fled into England. The moſt eminent clergymen throughout the kingdom imitated their example. Deſolation and aſtoniſhment appeared in every part of the Scottiſh church: the people bewailed the loſs of paſtors whom they eſteemed; and full of conſternation at an event ſo unexpected, openly expreſſed their rage againſt Arran, and began to ſuſpect the king himſelf to be an enemy to the reformed religion ¶.

† Parl. 8. Jac. VI. ¶ Spotſw. 333.

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THE

HISTORY

OF

SCOTLAND.

BOOK SEVENTH.

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Throkmorton's conspiracy. Designs of Mary's adherents. Severe proceedings against the banished Lords. Against the Clergy. Conspiracy against Elizabeth. Opposition to Mary, Gray, a new favourite. His interest. Arran's corruption. Parry's conspiracy. Severe statute against Mary. A league against Elizabeth. Her wise conduct. Arran's power undermined. The banished Lords return to Scotland. A parliament. Church Affairs. League with England. Babington's conspiracy. Discovered. Mary accused. Her domestics and papers seized. Her trial. Her defence. Her sentence confirmed by parliament. Elizabeth's dissimulation. France interposes in behalf of Mary. James endeavours to save his mother. Mary's sentence published. Mary treated with great rigour. James solicits in her behalf. Of Elizabeth's anxiety. Warrant for Mary's execution signed. Her behaviour at her death. Her character. Elizabeth endeavours to soothe James. Disgrace of Gray. Annexation of church lands. Of the lesser Barons. Of the Spanish armada. Conduct of James on that occasion. A national covenant. The armada defeated. Intrigues of Philip and the Popish nobles. James's lenity to the conspirators. His marriage.

WHILE Scotland was torn by those intestine factions, Elizabeth was alarmed with the rumour of a project in agitation for setting Mary at liberty. Francis

Throkmorton, a Cheshire gentleman, was suspected in being deeply concerned in the design, and on that suspicion he was taken into custody. Among his papers were found two lists, one of the principal harbours in the kingdom, with an account of their situation, and of the depth of the water in each; the other, of all the eminent Roman catholics in England. This circumstance confirmed the suspicion against him, and some dark and desperate conspiracy was supposed just ready to break out. At first he boldly avowed his innocence, and declared that the two papers were forged by the queen's ministers, in order to intimidate or ensnare him; and he even endured the rack with the utmost fortitude. But being brought a second time to the place of torture, his resolution failed him, and he not only acknowledged that he had held a secret correspondence with the queen of Scots, but discovered a design that was formed to invade England. The duke of Guise he said, undertook to furnish troops and to conduct the enterprise. The pope and king of Spain were to supply the money necessary for carrying it on; all the English exiles were eager to take arms; many of the catholics at home would be ready to join them at their landing; Mendoza, the Spanish ambassador, who was the life of the conspiracy, spared no pains in fomenting the spirit of disaffection among the English, or in hastening the preparation on the continent; and by his command, he made the two lists, the copies whereof had been found in his possession. This confession he retracted at his trial; and returned to it again after sentence was passed upon him; and retracted it once more at the place of execution*.

To us in the present age, who are assisted in forming our opinion of this matter, by the light which time and history have thrown upon the designs and characters of the princes of Guise, many circumstances in Throkmorton's confession appear to be extremely remote from truth, or even from probability. The duke

* Holinshed, 1370.

of Guise was at that juncture, far from being in a situation to undertake foreign conquests. Without either power or office at court; hated by the king; and persecuted by favourites; he had no leisure for any thoughts of disturbing the quiet of neighbouring states; and his vast and ambitious mind was wholly occupied in laying the foundation of that famous league which shook the throne of France. But about the time Elizabeth detected this conspiracy, the close union between the house of Guise and Philip II. was remarkable to all Europe; and as their great enterprise against Henry III. was not yet disclosed, they endeavoured to conceal that under their threatenings to invade England. Throkmorton's discovery appeared to be extremely probable; and Elizabeth, who knew how ardently all the parties mentioned by him wished her downfal, thought that she could not guard her kingdom with too much care. The indiscreet zeal of the English exiles increased her fears. Not satisfied with incessant outcries against her severity towards the Scottish queen, and her cruel persecution of her catholic subjects, not thinking it enough that one pope had threatened her with the sentence of excommunication, and another had actually pronounced it, they now began to disperse books and writings in which they endeavoured to persuade their disciples, that it would be a meritorious action to take away her life; they openly exhorted the maids of honour to treat her as Judith did Holofernes, and, by such an illustrious deed to render their own names honourable and sacred in the church throughout all future ages *. For these reasons, Elizabeth not only inflicted the punishment of a traitor on Throkmorton, but commanded the Spanish ambassador instantly to leave England; and that she might be in no danger of being attacked within the island, she determined to use her utmost efforts, in order to recover that influence over the Scottish councils, which she had for some time entirely lost.

There were three different methods by which Eliza-

* Camd. 497.

beth might hope to accomplish this; either by furnishing such effectual aid to the banished nobles, as would enable them to resume the chief direction of affairs; or by entering into such a treaty with Mary, as might intimidate her son, who being now accustomed to govern, would be apt to agree to any terms rather than resign the sceptre, or admit an associate in the throne; or by gaining the earl of Arran, to secure the direction of the king his master. The last was not only the easiest and speediest, but the most certain of success. This Elizabeth resolved to pursue; but without laying the other two altogether aside. With this view she sent Davison, one of her principal secretaries, and a man of abilities and address, into Scotland. A minister so venal as Arran, hated by his own countrymen, and holding his power by the most precarious of all tenures, the favour of a young prince, accepted Elizabeth's offers without hesitation, and esteemed the acquisition of her protection to be the most solid foundation of his own greatness. Soon after he consented to an interview with Lord Hunsdon, the governor of Berwick, and being honoured with the pompous title of lieutenant-general for the king, he appeared at the place appointed with a splendid train. In Hunsdon's presence he renewed his promises of an inviolable and faithful attachment to the English interest, and assured him that James should enter into no negotiation which tended to interrupt the peace between the two kingdoms; and as Elizabeth began to entertain the same fears and jealousies concerning the king's marriage, which had formerly disquieted her with regard to his mother's, he undertook to prevent James from listening to any overture of that kind, until he had previously obtained the queen of England's consent *.

The banished lords and their adherents soon felt the effects of Arran's friendship with England. As Elizabeth had permitted them to take refuge in her dominions, and several of her ministers were of opinion that she ought to employ her arms in defence of their cause,

* Cald. iii. 491. Melv. 315. See Append. No. X.

the fear of this was the only thing which restrained James and his favourite from proceeding to such extremities against them, as might have excited the pity or indignation of the English, and have prompted them to exert themselves with vigour in their behalf. But every apprehension of this kind being now removed, they ventured to call a parliament, in which an act was passed, attainting Angus, Mar, Glamis, and a great number of their followers. Their estates devolved to the crown, and according to the practice of the Scottish monarchs, who were obliged to reward the faction which adhered to them, by dividing with it the spoils of the vanquished, James dealt out the greater part of these to Arran and his associates †.

Nor was the treatment of the clergy less rigorous. All ministers, readers, and professors in colleges, were enjoined to subscribe, within forty days, a paper testifying their approbation of the laws concerning the church enacted in last parliament. Many, overawed or corrupted by the court, yielded obedience; others stood out. The stipends of the latter were sequestrated, some of the more active committed to prison, and numbers compelled to fly the kingdom. Those who complied, fell under the suspicion of acting from mercenary or ambitious motives. Those who suffered acquired high reputation, by giving such convincing evidence of their firmness and sincerity. The judicatories of the church were almost entirely suppressed. In some places scarce as many ministers remained, as to perform the duties of religious worship; they soon sunk in reputation among the people, and being prohibited not only from discoursing of public affairs, but obliged, by the jealousy of the administration, to frame every sentiment and expression in such a manner as to give the court no offence, their sermons were deemed languid, insipid, and contemptible; and it became the general opinion, that, together with the most virtuous of the nobles and the most faithful of the clergy, the

† Cald. iii. 527.

power and vigour of religion were now banished out of the kingdom †.

Mean while, Elizabeth was carrying on one of those fruitless negotiations with the queen of Scots, which it had become, almost matter of form to renew every year. They served not only to amuse that unhappy princess with some prospect of liberty; but furnished an apology for eluding the solicitations of foreign powers in her behalf, and were of use to overawe James, by shewing him that she could at any time set free a dangerous rival to dispute his authority. These treaties she suffered to proceed to what length she pleased, and never wanted a pretence for breaking them off, when they became no longer necessary. The treaty now on foot was not, perhaps, more sincere than many which preceded it; the reasons, however, which rendered it ineffectual were far from being frivolous.

As Crichton, a jesuit, was sailing from Flanders towards Scotland, the ship on board of which he was a passenger happened to be chased by pirates, who, in that age, often infested the narrow seas. Crichton, in great confusion, tore in pieces some papers in his custody, and threw them away; but, by a very extraordinary accident, the wind blew them back into the ship, and they were immediately taken up by some of the passengers, who carried them to Wade, the clerk of the privy-council. He, with great industry and patience, joined them together, and they were found to contain the account of a plot formed by the king of Spain and the duke of Guise, for invading England. The people were not yet recovered from the fear and anxiety occasioned by the conspiracy in which Throkmorton had been engaged, and as his discoveries appeared now to be confirmed by additional evidence, not only all their former apprehensions recurred, but the consternation became general and excessive. As all the dangers, with which England had been threatened for some years, flowed either immediately from Mary herself, or from those who made use of her name to

† Cald. ii. 589.

justify their insurrections and conspiracies, this gradually diminished the compassion due to her situation, and the English, instead of pitying, began to fear and to hate her. Elizabeth, under whose wise and pacific reign the English enjoyed tranquillity, and had opened sources of wealth unknown to their ancestors, was extremely beloved by all her people; and regard to her safety, not less than to their interest, animated them against the Scottish queen. In order to discourage her adherents, it was thought necessary to convince them, by some public deed, of the attachment of the English to their own sovereign, and that any attempt against her life would prove fatal to her rival. With this view an *Association* was framed, the subscribers of which bound themselves by the most solemn oaths, "to defend the queen against all her enemies, foreign and "domestic; and if violence should be offered to her life, "in order to favour the title of any pretender to the "crown, they not only engaged never to allow or "acknowledge the person or persons by whom, or for "whom, such a detestable act should be committed, "but vowed, in the presence of the eternal God, to "prosecute such person or persons to the death, and "to pursue them, with their utmost vengeance, to "their utter overthrow and extirpation ‡." Persons of all ranks subscribed this combination with the greatest eagerness and unanimity ‖.

Mary considered this combination, not only as an avowed design to exclude her from all right of succession, but as the certain and immediate forerunner of her destruction. In order to avert this, she made such feeble efforts as were still in her power, and sent Naué, her secretary, to court, with offers of more entire resignation to the will of Elizabeth, in all points, which had been the occasion of their long enmity, than her past sufferings hitherto had been able to extort §. But whether Mary adhered inflexibly to her privileges as an independent sovereign or yielding to the necessity of her situation, endeavoured, by concessions, to soothe

‡ State Trials, i. 122. ‖ Camd. 499. § Id. ibid.

her rival, ſhe was equally unſucceſsful. Her firmneſs was imputed to obſtinacy, or to the ſecret hope of foreign aſſiſtance; her conceſſions were either believed to be inſincere, or to flow from the fear of ſome preſent danger. Her willingneſs, however, to comply with any terms was ſo great, that Walſingham warmly urged his miſtreſs to come to a final agreement with her. But Elizabeth was perſuaded, that it was the ſpirit raiſed by the aſſociation which had rendered her ſo paſſive and compliant. She always imagined that there was ſomething myſterious and deceitful in all Mary's actions, and ſuſpected her of carrying on a dangerous correſpondence with the Engliſh catholics both within and without the kingdom. Nor were her ſuſpicions altogether void of foundation. Mary had, about this time, written a letter to ſir Francis Ingleſield, urging him to haſten the execution of what ſhe calls the *Great Plot or Deſignment*, without heſitating on account of any danger in which it might involve her life, which ſhe would moſt willingly part with, if, by that ſacrifice, ſhe could procure relief for ſo great a number of the oppreſſed children of the church *. Inſtead, therefore, of hearkening to the overtures which the Scottiſh queen made, or granting any mitigation of the hardſhips of which ſhe complained, Elizabeth reſolved to take her out of the hands of the earl of Shrewſbury, and to appoint ſir Amias Paulet and ſir Drue Drury to be her keepers. Shrewſbury had diſcharged his truſt with great fidelity, during fifteen years, but, at the ſame time, had treated Mary with gentleneſs and reſpect, and had always ſweetened harſh commands by the humanity with which he put them in execution. The ſame politeneſs was not to be expected from men of an inferior rank, whoſe ſevere vigilance, perhaps, was their chief recommendation to that employment, and the only merit by which they could pretend to gain favour or preferment †.

As James was no leſs eager than ever to deprive the baniſhed nobles of Elizabeth's protection, he appointed

* Strype, iii. 240. † Camd. 500.

the master of Gray his ambassador to the court of England, and intrusted him with the conduct of a negotiation for that purpose. An honour for which he was indebted to the envy and jealousy of the earl of Arran. Gray possessed all the talents of a courtier; a graceful person, an insinuating address, boundless ambition, and a restless and intriguing spirit. During his residence in France, he had been admitted into the most intimate familiarity with the duke of Guise, and in order to gain his favour, had renounced the protestant religion, and professed the utmost zeal for the captive queen, who carried on a secret correspondence with him, from which she expected great advantages. On his return into Scotland, he paid court to James with extraordinary assiduity, and his accomplishments did not fail to make their usual impression on the king's heart. Arran, who had introduced him, began quickly to dread his growing favour; and flattering himself, that absence would efface any sentiments of tenderness from the mind of a young prince, pointed him out, by his malicious praises, as the most proper person in the kingdom for an embassy of such importance; and contributed to raise him to that high dignity, in order to hasten his fall. Elizabeth, who had an admirable dexterity in discovering the proper instruments for carrying on her designs, endeavoured, by caresses, and by presents, to secure Gray to her interest. The former flattered his vanity, which was great; the latter supplied his profuseness, which was still greater. He abandoned himself without reserve to Elizabeth's direction, and not only undertook to preserve the king under the influence of England, but acted as a spy upon the Scottish queen, and betrayed to her rival every secret that he could draw from her by his high pretensions of zeal in her service *.

Gray's credit with the English court was extremely galling to the banished nobles. Elizabeth no longer thought of employing her power to restore them; she found it easier to govern Scotland by corrupting the

* Strype, iii. 302. Melv. 316.

king's favourites; and, in compliance with Gray's folicitations, ſhe commanded the exiles to leave the north of England, and to remove into the heart of the kingdom. This rendered it difficult for them to hold any correſpondence with their partiſans in Scotland, and almoſt impoſſible to return thither without her permiſſion. Gray, by gaining a point which James had ſo much at heart, riveted himſelf more firmly that ever in his favour; and by acquiring greater reputation, became capable of ſerving Elizabeth with greater ſucceſs†.

Arran had now poſſeſſed for ſome time all the power, the riches, and the honours, that his immoderate ambition could deſire, or the fondneſs of a prince, who ſet no limits to his liberality towards his favourites, could beſtow. The office of lord chancellor, the higheſt and moſt important in the kingdom, was conferred upon him, even during the life of the earl of Argyll, who ſucceeded Athol in that dignity‡; and the public beheld, with aſtoniſhment and indignation, a man educated as a ſoldier of fortune, ignorant of law, and a contemner of juſtice, appointed to preſide in parliament, in the privy-council, in the court of ſeſſion, and intruſted with the ſupreme diſpoſal of the property of his fellow-ſubjects. He was, at the ſame time, governor of the caſtles of Stirling and Edinburgh; the two principal forts in Scotland; provoſt of the city of Edinburgh; and as if by all theſe accumulated dignities his merits had not been ſufficiently recompenſed, he was created lieutenant-general over the whole kingdom. No perſon was admitted into the king's preſence without his permiſſion; no favour could be obtained but by his mediation. James, occupied with youthful amuſements, devolved upon him the whole regal authority. Such unmerited elevation increaſed his natural arrogance, and rendered it intolerable. He was no longer content with the condition of a ſubject, but pretended to derive his pedigree from Murdo duke of Albany; and boaſted openly,

† Cald. iii. 643. ‡ Crawf. Offic. of State, App. 447.

that his title to the crown was preferable to that of the king himself. But, together with these thoughts of royalty, he retained the meanness suitable to his primitive state. His venality as a judge was scandalous, and was exceeded only by that of his wife, who, in defiance of decency, made herself a party in almost every question which came to be decided, employed her influence to corrupt or to overawe the judges, and almost openly dictated their decisions*. His rapaciousness as a minister was insatiable. Not satisfied with the revenues of so many offices; with the estate and honours which belonged to the house of Hamilton; or with the greater part of Gowrie's lands, which had fallen to his share; he grasped at the possessions of several of the nobles. He required lord Maxwell to exchange part of his estate, for the forfeited lands of Kinneil; and because he was unwilling to quit an ancient inheritance for a possession so precarious, he stirred up against him his old rival, the laird of Johnston, and involved that corner of the kingdom in a civil war. He committed to prison the earl of Athol, lord Home, and the master of Cassils; the first, because he would not divorce his wife, a daughter of the earl of Gowrie, and entail his estate on him; the second, because he was unwilling to part with some lands adjacent to one of his estates; and the third, for refusing to lend him money. His spies and informers filled the whole country, and intruded themselves into every company. The nearest neighbours distrusted and feared each other. All familiar society was at an end. Even the common intercourses of humanity were interrupted, no man knowing in whom to confide, or where to utter his complaints. There is not perhaps in history an example of a minister so universally detestable to a nation, or who more justly deserved its detestation†.

Arran, notwithstanding, regardless of the sentiments, and despising the murmurs of the people, gave a loose to his natural temper, and proceeded to acts still more

* Cald. iii. Scotstarvet's Staggering State, 7.
† Spotsw. 337, 338, 331.

violent. David Home of Argaty, and Patrick his brother, having received letters from one of the banished lords, about private business, were condemned and put to death, for holding correspondence with rebels. Cunninghame of Drumwhasel, and Douglas of Mains, two gentlemen of honour and reputation, were accused of having conspired with the exiled nobles to seize the king's person. A single witness only appeared: The evidence they produced of their innocence was unanswerable; their accuser himself not long after acknowledged that he had been suborned by Arran; and all men believed the charge against them to be groundless; they were found guilty, notwithstanding, and suffered the death of traitors, Feb. 9, 1585.†

About the same time that these gentlemen were punished for a pretended conspiracy, Elizabeth's life was endangered by a real one. Parry, a doctor of laws, and a member of the house of commons, a man vain and fantastic, but of a resolute spirit, had lately been reconciled to the church of Rome; and fraught with the zeal of a new convert, he offered to demonstrate the sincerity of his attachment to the religion which he had embraced, by killing Elizabeth. Cardinal Allen had published a book, to prove the murder of an excommunicated prince to be not only lawful, but a meritorious action. The pope's nuncio at Venice, the jesuits both there and at Paris, the English exiles, all approved of the design. The pope himself exhorted him to persevere; and granted him for his encouragement a plenary indulgence, and remission of his sins. Cardinal di Como wrote to him a letter to the same purpose. But though he often got access to the queen, fear or some remaining sense of duty, restrained him from perpetrating the crime. Happily his intention was at last discovered by Nevil, the only person in England to whom he had communicated it; and he himself having voluntarily confessed his guilt, he suffered the punishment which it deserved *.

† Ibid. 338. Cald. iii. 794. * State Trials, vol. i. 103.

These repeated conspiracies against their sovereign awakened the indignation of the English parliament, and produced a very extraordinary statute, which, in the end, proved fatal to the queen of Scots. By this law the association in defence of Elizabeth's life was ratified, and it was farther enacted, "That if any rebellion "shall be excited in the kingdom or any thing at-"tempted to the hurt of her majesty's person, *by or for* "any person pretending a title to the crown, the queen "shall empower twenty-four persons by a commission "under the great seal, to examine into, and pass sen-"tence upon such offences; and after judgment given, "a proclamation shall be issued, declaring the persons "whom they find guilty excluded from any right to "the crown; and her majesty's subjects may lawfully "pursue every one of them to the death, with all their "aiders and abettors: and if any design against the life "of the queen take effect, the persons *by or for* whom "such a detestable act is executed, and *their issues*, being "in any wise assenting or privy to the same, shall be "disabled for ever from pretending to the crown, and "be pursued to death in the like manner †." This act was plainly levelled at the queen of Scots; and whether we consider it as a voluntary expression of the zeal and concern of the nation for Elizabeth's safety, or whether we impute it to the influence which that artful princess preserved over her parliaments, it is no easy matter to reconcile it with the general principles of justice or humanity. Mary was thereby rendered accountable not only for her own actions, but for those of others; in consequence of which, she might forfeit her right of succession, and even her life itself.

Mary justly considered this act as a warning to prepare for the worst extremities. Elizabeth's ministers, it is probable, had resolved by this time to take away her life; and suffered books to be published, in order to persuade the nation that this cruel and unprecedented measure was not only necessary but just ‡. Even that short period of her days which she remained, they

† Ibid. 123. ‡ Strype, iii. 299.

rendered uncomfortable, by every hardſhip and indignity which it was in their power to inflict. Almoſt all her ſervants were diſmiſſed, ſhe was treated no longer with the reſpect due to a queen; and, though the rigour of ſeventeen years impriſonment had broken her conſtitution, ſhe was confined to two ruinous chambers, ſcarce habitable, even in the middle of ſummer by reaſon of cold. Notwithſtanding the ſcantineſs of her revenue, ſhe had been accuſtomed to diſtribute regularly ſome alms among the poor in the village adjoining to the caſtle. Paulet now refuſed her liberty to perform this pious and humane office, which had afforded her great conſolation amidſt her own ſufferings. The caſtle in which ſhe reſided was converted into a common priſon; and a young man, ſuſpected of popery, was confined there, and treated with ſuch rigour under her eye, that he died of the ill uſage. She often complained to Elizabeth of theſe multiplied injuries, and expoſtulated as became a woman and a queen; but as no political reaſon now obliged that princeſs, to amuſe her any longer with fallacious hopes, far from granting her any redreſs, ſhe did not even deign to give her any anſwer. The king of France, cloſely allied to Elizabeth, on whom he depended for aſſiſtance, was afraid of eſpouſing Mary's cauſe with any warmth; and all his ſolicitations in her behalf were feeble, formal, and inefficacious. But Caſtelnau, the French ambaſſador, whoſe compaſſion and zeal for the unhappy queen ſupplied the defects in his inſtructions, remonſtrated with ſuch vigour againſt the indignities to which ſhe was expoſed, that, by his importunity, he prevailed at length to have her removed to Tuthbury; though ſhe was confined the greater part of another winter in her preſent wretched habitation *.

Neither the inſults of her enemies, nor the neglect of her friends, made ſuch an impreſſion on Mary, as the ingratitude of her ſon. James had hitherto treated his mother with filial reſpect, and had even entered into

* Jebb. v. 2. 576—598.

negotiations with her, which gave umbrage to Elizabeth. But as it was not her intereſt that his good correſpondence ſhould continue, Gray, who, on his return in Scotland found his favour with the king greatly increaſed by the ſucceſs of his embaſſy, perſuaded him to write a harſh and undutiful letter to his mother, in which he expreſsly refuſed to acknowledge her to be the queen of Scotland, or to conſider his affairs as connected, in any wiſe, with hers. This cruel requital of her maternal tenderneſs overwhelmed Mary with ſorrow and deſpair. "Was it for this," ſaid ſhe, in a letter to the French ambaſſador, "that I have endured ſo "much, in order to preſerve for him the inheritance, "to which I have a juſt right? I am far from envying "his authority in Scotland. I deſire no power there; "nor wiſh to ſet my foot in that kingdom, if it were "not for the pleaſure of once embracing a ſon, whom "I have hitherto loved with too tender affection. "Whatever he either enjoys, or expects, he derived it "from me. From him I never received aſſiſtance, "ſupply, or benefit of any kind. Let not my allies "treat him any longer as a king: he holds that digni-"ty by my conſent; and if a ſpeedy repentance do "not appeaſe my juſt reſentment, I will load him with "a parent's curſe, and ſurrender my crown, with all "my pretenſions to one who will receive them with "gratitude, and defend them with vigour *." The love which James bore to his mother, whom he had never known, nay, whom he had been early taught to conſider as one of the moſt abandoned perſons of her ſex, cannot be ſuppoſed ever to have been ardent; and he did not now take any pains to regain her favour. But whether her indignation at his undutiful behaviour, added to her bigotted attachment to popery, prompted Mary at any time to think ſeriouſly of diſinheriting her ſon; or whether theſe threatenings were uttered in a ſudden ſally of diſappointed affection, it is now no eaſy matter to determine. Some papers which are ſtill

* Murdin, 566. Jebb. ii. 571. See Append. No. XII.

extant seem to render the former not improbable.†

Cares of another kind, and no less disquieting, occupied Elizabeth's thoughts. The calm which she had long enjoyed, seemed now to be at an end; and such storms were gathering in every quarter, as filled her with just alarm. All the neighbouring nations had undergone revolutions extremely to her disadvantage. The great qualities which Henry III. had displayed in his youth, and which raised the expectations of his subjects so high, vanished on his ascending the throne; and his acquiring supreme power seems not only to have corrupted his heart, but to have impaired his understanding. He soon lost the esteem and affection of the nation; and a life divided between the austerities of a superstitious devotion, and the extravagancies of the most dissolute debauchery, rendered him as contemptible as he was odious on account of his rapaciousness, his profusion, and the fondness with which he doated on two unworthy minions. On the death of his only brother, those sentiments of the people burst out with violence. Henry had no children, and though but thirty-two years of age, the succession of the crown was already considered as open. The king of Navarre, a distant descendent of the royal family, but the undoubted heir to the crown, was a zealous protestant. The prospect of an event so fatal to their religion, as his ascending the throne of France, alarmed all the catholics in Europe; and the duke of Guise, countenanced by the pope, and aided by the king of Spain, appeared as the defender of the Romish faith, and the assertor of the cardinal of Bourbon's right to the crown. In order to unite the party, a bond of confederacy was formed, distinguished by the name of the *Holy League*. All ranks of men joined in it with emulation. The spirit spread with the irresistible rapidity which was natural to religious passions in that age. The destruction of the Reformation, not only in France, but all over Europe, seemed to be the object and wish of the whole party; and the duke of Guise, the head of this mighty and zealous body, ac-

† See Append. XIII.

quired authority in the kingdom far superior to that which the king himself possessed. Philip II. by the conquest of Portugal, had greatly increased the naval power of Spain, and had at last reduced under his dominion all that portion of the continent which lies beyond the Pyrenean mountains, and which nature seems to have destined to form one great monarchy. William prince of Orange, who first encouraged the inhabitants of the Netherlands to assert their liberties, and whose wisdom and valour formed and protected the rising commonwealth, had fallen by the hands of an assassin. The superior genius of the prince of Parma had given an entire turn to the fate of the war in the Low Countries; all his enterprises, concerted with consummate skill, and executed with equal bravery, had been attended with uninterrupted success; and the Dutch, reduced to the last extremity, were on the point of falling under the dominion of their ancient master.

None of those circumstances, to which Elizabeth had hitherto owed her security, existed any longer. She could derive no advantage from the jealousy which had subsisted between France and Spain; Philip, by means of his confederacy with the duke of Guise, had an equal sway in the councils of both kingdoms. The hugonots were unable to contend with the power of the league; and little could be expected from any diversion they might create. Nor was it probable that the Netherlands could long occupy the arms, or divide the strength of Spain. In this situation of the affairs of Europe, it became necessary for Elizabeth to form a new plan of conduct; and her wisdom in forming it was not greater than the vigour with which she carried it on. The measures most suitable to her natural temper, and which she had hitherto pursued, were cautious and safe; those she now adopted were enterprising and hazardous. She preferred peace, but was not afraid of war; and was capable, when compelled by necessity, not only of defending herself with spirit, but of attacking her enemies with a boldness which averted danger from her own dominions. She immediately furnished the hugonots with a considerable supply in money. She carried on a pri-

vate negotiation with Henry III. who, though compelled to join the league, hated the leaders of it, and wished for their destruction. She openly undertook the protection of the Dutch commonwealth, and sent a powerful army to its assistance. She endeavoured to form a general confederacy of the protestant princes, in opposition to the popish league. She determined to proceed with the utmost rigour against the queen of Scots, whose sufferings and rights afforded her enemies a specious pretence for invading her dominions. She resolved to redouble her endeavours, in order to effect a closer union with Scotland, and to extend and perpetuate her influence over the councils of that nation.

She found it no difficult matter to induce most of the Scottish courtiers to promote all her designs. Gray, sir John Maitland, who had been advanced to the office of secretary, which his brother formerly held, sir Lewis Bellenden, the justice clerk, who had succeeded Gray as the king's resident at London, were the persons in whom she chiefly confided. In order to direct and quicken their motions, she despatched sir Edward Wotton along with Bellenden into Scotland. This man was gay, well-bred and entertaining; he excelled in all the exercises for which James had a passion, and amused the young king by relating the adventures which he had met with, and the observations he had made during a long residence in foreign countries; but under the veil of these superficial qualities, he concealed a dangerous and intriguing spirit. He soon grew into high favour with James; and while he was seemingly attentive only to pleasure and diversions, he acquired influence over the public councils, to a degree which was indecent for a stranger to possess*.

Nothing, however, could be more acceptable to the nation, than the proposal he made of a strict alliance between the two kingdoms, in defence of the reformed religion. The rapid and alarming progress of the popish league seemed to call on all protestant princes to unite for the preservation of their common faith. James

* Melv. 317.

embraced the overture with warmth, and a convention of estates empowered him to conclude such a treaty, and engaged to ratify it in parliament*. The alacrity with which James concurred in this measure must not be wholly ascribed either to his own zeal, or to Wotton's address; it was owing in part to Elizabeth's liberality As a mark of her motherly affection for the young king, she settled on him an annual pension of five thousand pounds; the same sum which her father had allotted her before she ascended the throne. This circumstance, which she took care to mention, rendered a sum, which in that age was far from being inconsiderable, a very acceptable present to the king, whose revenues, during a long minority, had been almost totally dissipated†.

But the chief object of Wotton's intrigues was to ruin Arran. While a minion so odious to the nation continued to govern the king, his assistance could be of little advantage to Elizabeth. And though Arran, ever since his interview with Hunsdon, had appeared extremely zealous for her interest, she could place no great confidence in a man whose conduct was so capricious and irregular, and who, notwithstanding his protestations to the contrary, still continued a secret correspondence both with Mary and with the duke of Guise. The banished lords were attached to England from affection as well as principle, and were the only persons among the Scots whom, in any dangerous exigency, she could thoroughly trust. Before Bellenden left London, they had been summoned thither, under colour of vindicating themselves from his accusations, but, in reality, to concert with him the most proper measures for restoring them to their country. Wotton pursued this plan, and endeavoured to ripen it for execution; and it was greatly facilitated by an event neither uncommon nor considerable. Sir John Forster, and Ker of Ferniherst, the English and Scottish wardens of the middle marches, having met, according to the custom of the borders, about midsummer, a fray arose, and lord Russel, the earl of Bedford's eldest son,

* Spotsw. 339. † Cald. iii. 503.

happened to be killed. This ſcuffle was purely accidental, but Elizabeth choſe to conſider it as a deſign formed by Ker, at the inſtigation of Arran, to involve the two kingdoms in war. She inſiſted that both of them ſhould be delivered up to her; and though James eluded that demand, he was obliged to confine Arran in St. Andrews and Ker in Aberdeen. During his abſence from court, Wotton and his aſſociates carried on their intrigues without interruption. By their advice, the baniſhed nobles endeavoured to accommodate their differences with lord John and lord Claud, the duke of Chatelherault's two ſons, whom Morton's violence had driven out of the kingdom. Their common ſufferings, and common intereſt, induced both parties to bury in oblivion the ancient diſcord which had ſubſiſted between the houſes of Hamilton and Douglas. By Elizabeth's permiſſion, they returned in a body to the borders of Scoland. Arran, who had again recovered favour, inſiſted on putting the kingdom in a poſture of defence: but Gray, Bellenden, and Maitland ſecretly thwarted all his meaſures. Some neceſſary orders they prevented from being iſſued; others they rendered ineffectual by the manner of execution; and all of them were obeyed ſlowly, and with reluctance*.

Wotton's fertile brain was, at the ſame time, big with another and more dangerous plot. He had contrived to ſeize the king, and to carry him by force into England. But the deſign was happily diſcovered; and, in order to avoid the puniſhment his treachery merited, he departed without taking leave†.

Mean while the baniſhed lords haſtened the execution of their enterpriſe; and as their friends and vaſſals were now ready to join them, they entered Scotland. Wherever they came, they were welcomed as the deliverers of their country, and the moſt fervent prayers were put up to heaven for the ſucceſs of their arms. They advanced, without loſing a moment, towards Sterling, at the head of ten thouſand men. The king, though he had aſſembled an army ſuperior in number, could not venture to

* Spotſw. 340. † Melv. 335

meet them in the field, with troops whose loyalty was extremely dubious, and who at best were far from being hearty in the cause; nor was either the town or castle provided for a siege. The gates, however, of both were shut, and the nobles encamped at St. Ninians. That same night they surprised the town, or more probably it was betrayed into their hands; and Arran, who had undertaken to defend it, was obliged to save himself by a precipitate flight. Next morning they invested the castle, in which there were not provisions for twenty-four hours; and James was necessitated immediately to hearken to terms of accommodation. They were not so elated with success as to urge extravagant demands, nor was the king unwilling to make every reasonable concession. They obtained a pardon, in the most ample form, of all the offences they had committed; the principal forts in the kingdom were, by way of security, put into their hands; Crawford, Montrose, and colonel Stewart, were removed from the king's presence; and a parliament was called, to establish tranquillity in the nation ‡.

Though a great majority in this parliament consisted of the confederate nobles and their adherents, they were far from discovering a vindictive spirit. Satisfied with procuring an act, restoring them to their ancient honours and estates, and ratifying the pardon granted by the king, they seemed willing to forget all past errors in the administration, and spared James the mortification of seeing his ministers branded with any public note of infamy. Arran alone, deprived of all his honours, stripped of his borrowed spoils, and declared an enemy to his country by public proclamation, sunk back into obscurity, and must henceforth be mentioned by his primitive title of Captain James Stewart. As he had been, during his unmerited prosperity, the object of the hatred and indignation of his countrymen, they beheld his fall without pity, nor did all his sufferings mitigate their resentment in the least degree.

The clergy were the only body of men who obtained no redress of their grievances by this revolution. The

‡ Cald. iii. 795.

The confederate nobles had all along affected to be considered as guardians of the privileges and discipline of the church. In all their manifestos they had declared their resolution to restore these, and by that popular pretence had gained many friends. It was now natural to expect some fruit of these promises, and some returns of gratitude towards many of the most eminent preachers who had suffered in their cause, and who demanded the repeal of the laws passed the preceding year. The king, however, was resolute to maintain these laws in full authority; and as the nobles were extremely solicitous not to disgust him, by insisting on any disagreeable request, the claims of the church in this, as well as in many former instances, were sacrificed to the interest of the laity. The ministers gave vent to their indignation in the pulpit, and their impatience under the disappointment broke out in some expressions extremely disrespectful even towards the king himself‖.

The archbishop of St. Andrews, too, felt the effects of their anger. The provincial synod of Fife summoned him to appear, and to answer for his contempt of the decrees of former assemblies, in presuming to exercise the function of a bishop. And though he refused to acknowledge the jurisdiction of the court, and appealed from it to the king, a sentence of excommunication, equally indecent and irregular, was pronounced against him. Adamson, with no less indecency, thundered his archiepiscopal excommunication against Melvil, and some other of his opponents.

Soon after, a general assembly was held, in which the king, with some difficulty, obtained an act, permitting the name and office of a bishop still to continue in the church. The power of the order, however, was considerably retrenched. The exercise of discipline, and the inspection of the life and doctrine of the clergy, were committed to presbyteries, in which bishops should be allowed no other pre-eminence but that of presiding as perpetual moderators. They themselves were declared

‖ Spotsw. 343.

to be subject, in the same manner as other pastors, to the jurisdiction of the general assembly. And as the discussion of the archbishop's appeal might have kindled unusual heats in the assembly, that affair was terminated by a compromise. He renounced any claim of supremacy over the church, and promised to demean himself suitably to the character of a bishop, as described by St. Paul. The assembly, without examining the foundations of the sentence of excommunication, declared that it should be held of no effect, and restored him to all the privileges which he enjoyed before it was pronounced. Notwithstanding the extraordinary tenderness shewn for the honour of the synod, and the delicacy and respect with which its jurisdiction was treated, several members were so zealous as to protest against this decision *.

The court of Scotland was now filled with persons so warmly attached to Elizabeth, that the league between the two kingdoms, which had been proposed last year, met with no interruption, but from D'Esneval the French envoy. James himself first proposed to renew the negotiation. Elizabeth did not suffer such a favourable opportunity to slip, and instantly despatched Randolph to conclude a treaty which she so much desired. The danger to which the protestant religion was exposed, by the late combination of the popish powers for its destruction, and the necessity of a strict confederacy among those who had embraced the Reformation, in order to obstruct their pernicious designs, were mentioned as the foundation of the league. The chief articles in it were, that both parties should bind themselves to defend the evangelic religion; that the league should be offensive and defensive against all who shall endeavour to disturb the exercise of religion in either kingdom; that if one of the two parties be invaded, the other, notwithstanding any former alliance, should not, directly or indirectly, assist the invader; that if England be invaded in any part remote from Scotland, James should assist the queen with two thousand horse and five thousand foot; that if the enemy landed or approached within sixty

* Cald. iii. 89. Spotsw. 346.

miles of Scotland, the king should take the field with his whole forces, in the same manner as he would do in defence of his own kingdom. Elizabeth, in return, undertook to act in defence of Scotland, if it should be invaded. At the same time she assured the king that no step should be taken, which might derogate in any degree from his pretensions to the English crown*. Elizabeth expressed great satisfaction with a treaty, which rendered Scotland an useful ally, instead of a dangerous neighbour, and afforded her a degree of security on that side, which all her ancestors had aimed at, but none of them had been able to obtain. Zeal for religion, together with the blessings of peace, which both kingdoms had enjoyed during a considerable period, had so far abated the violence of national antipathy, that the king's conduct was universally acceptable to his own people†.

The acquittal of Archibald Douglas, at this time, exposed James to much and deserved censure. This man was deeply engaged in the conspiracy against the life of the king his father. Both Morton and Binny one of his own servants, who suffered for that crime, had accused him of being present at the murder‡. He had escaped punishment by flying into England, and James had often required Elizabeth to deliver up a person so unworthy of her protection. He now obtained a licence, from the king himself, to return into Scotland; and after undergoing a mock trial, calculated to conceal, rather than to detect his guilt, he was not only taken into favour by the king, but sent back to the court of England, with the honourable character of his ambassador. James was now of such an age, that his youth and inexperience cannot be pleaded in excuse for this indecent transaction. It must be imputed to the excessive facility of his temper, which often led him to gratify his courtiers at the expence of his own dignity and reputation§.

Not long after, the inconsiderate affection of the Eng

* Spotsw. 351. † Camd. 513. ‡ See Append. No. XI.
§ Spotsw. 348. Cald. iii. 917.

lish catholics towards Mary, and their implacable resentment against Elizabeth, gave rise to a conspiracy which proved fatal to the one queen, left an indelible stain on the reputation of the other, and presented a spectacle to Europe of which there had hitherto been no example in the history of mankind.

Doctor Gifford, Gilbert Gifford, and Hodgson, priests educated in the seminary at Rheims, had adopted an extravagant and enthusiastic notion, that the bull of Pius V. against Elizabeth was dictated immediately by the Holy Ghost. This wild opinion they instilled into Savage, an officer in the Spanish army, noted for his furious zeal and daring courage; and persuaded him that no service could be so acceptable to Heaven, as to take away the life of an excommunicated heretic. Savage, eager to obtain the crown of martyrdom, bound himself by a solemn vow to kill Elizabeth. Ballard, a trafficing priest of that seminary, had at that time come over to Paris, and solicited Mendoza, the Spanish ambassador there, to procure an invasion of England, while the affairs of the league were so prosperous, and the kingdom left naked by sending so many of the queen's best troops into the Netherlands. Paget and the English exiles demonstrated the fruitlessness of such an attempt, unless Elizabeth were first cut off, or the invaders secured of a powerful concurrence on their landing. If it could be hoped that either of these events would happen, effectual aid was promised; and in the mean time Ballard was sent back to renew his intrigues.

He communicated his designs to Anthony Babington, a young gentleman in Derbyshire, of a plentiful fortune, and many amiable qualities, who having contracted, during his residence in France, a familiarity with the archbishop of Glasgow, had been recommended by him to the queen of Scots. He concurred with Paget, in considering the death of Elizabeth as a necessary preliminary to any invasion. Ballard gave him hopes that an end would soon be put to her days, and imparted to him Savage's vow, who was now in London waiting for an opportunity to strike the blow. But Babington thought the attempt of too much importance, to rely on

a single hand for the execution of it, and proposed that five resolute gentlemen should be joined with Savage in an enterprise, the success of which was the foundation of all their hopes. He offered to find out persons willing to undertake the service, whose honour, secrecy, and courage they might safely trust. He accordingly opened the matter to Edward Windsor, Thomas Salisbury, Charles Tilney, Chidioc Tichbourne, Robert Gage, John Travers, Robert Barnwell, John Charnock, Henry Dun, John Jones, and Polly; all of them, except Polly, whose bustling forward zeal introduced him into their society, gentlemen of good families, united together in the bonds of private friendship, strengthened by the more powerful tie of religious zeal. Many consultations were held; their plan of operations was at last settled; and their different parts assigned. Babington himself was appointed to rescue the queen of Scots; Salisbury, with some others, undertook to excite several counties to take arms; the murder of the queen, the most dangerous and important of all, fell to Tichbourne and Savage, with four associates. And so totally had their bigotted prejudices extinguished the principles of honour, and the sentiments of humanity suitable to their rank, that without scruple or compunction, they undertook an action which is viewed with horror, even when committed by the meanest and most profligate of mankind. This attempt, on the contrary, appeared to them no less honourable than it was desperate; and in order to perpetuate the memory of it, they had a picture drawn containing the portraits of the six assassins, with that of Babington in the middle, and a motto intimating that they were jointly embarked in some hazardous design.

The conspirators, as appears by this wanton and imprudent instance of vanity, seem to have thought a discovery scarce possible, and neither distrusted the fidelity of their companions, nor doubted the success of their undertaking. But while they believed that their machinations were carried on with the most profound and impenetrable secrecy, every step they took was ful-

ly known to Walfingham. Polly was one of his fpies, and had entered into the confpiracy, with no other defign than to betray his affociates. Gilbert Gifford too, having been fent over to England to quicken the motions of the confpirators, had been gained by Walfingham, and gave him fure intelligence of all their projects. That vigilant minifter immediately imparted the difcoveries which he had made to Elizabeth; and without communicating the matter to any other of the counfellors, they agreed, in order to underftand the plot more perfectly, to wait until it was ripened into fome form, and brought near the point of execution.

At laft, Elizabeth thought it dangerous and criminal to expofe her own life, and to tempt Providence any farther. Ballard, the prime mover in the whole confpiracy, was arrefted. His affociates, difconcerted and ftruck with aftonifhment, endeavoured to fave themfelves by flight. But within a few days, all of them, except Windfor, were feized in different places of the kingdom, and committed to the Tower. Though they had undertaken the part, they wanted the firm and determined fpirit of affaffins; and, influenced by fear or by hope, difcovered all they knew. The indignation of the people, and their impatience to revenge fuch an execrable combination againft the life of their fovereign, haftened their trial, and all of them fuffered the death of traitors*.

Thus far Elizabeth's conduct may be pronounced both prudent and laudable, nor can fhe be accufed of violating any law of humanity, or of taking any precautions beyond what were neceffary for her own fafety. But a tragical fcene followed, with regard to which pofterity will pafs a very different judgment.

The frantic zeal of a few rafh young men accounts fufficiently for all the wild and wicked defigns which they had formed. But this was not the light in which Elizabeth and her minifters chofe to place the confpiracy. They reprefented Babington and his affociates to be inftruments employed by the queen of Scots, the

* Camd. 515. State Trials, vol. i. 110.

real though secret author of so many attempts against the life of Elizabeth, and the peace of her kingdoms. They produced letters, which they ascribed to her in support of this charge. These, as they gave out, had come into their hands by a very singular and mysterious method of conveyance. Gifford, on his return into England, had been intrusted with letters to Mary; but in order to make a trial of his fidelity and address, they were only blank papers made up in that form. These being safely delivered by him, he was afterwards employed without farther scruple. By Walsingham's permission, and the connivance of Paulet, he bribed a tradesman in the neighbourhood of Chartley, whither Mary had been conveyed, who deposited the letters in a hole in the wall of the castle, covered with a loose stone. Thence they were taken by the queen, and in the same manner her answers returned. All these were carried to Walsingham, opened by him, decyphered, sealed again so dexterously that the fraud could not be perceived, and then transmitted to the persons to whom they were directed. Two letters to Babington, with several to Mendoza, Paget, Engelfield, and the English fugitives, were procured by this artifice. It was given out, that in these letters Mary approved of the conspiracy, and even of the assassination; that she directed them to proceed with the utmost circumspection, and not to take arms till foreign auxiliaries were ready to join them; that she recommended the earl of Arundel, his brothers, and the young earl of Northumberland, as persons proper to conduct and to add reputation to their enterprise; that she advised them, if possible, to excite at the same time some commotion in Ireland; and above all, besought them to concert with care the means of her escape, suggesting to them several expedients for that purpose.

All these circumstances were opened at the trial of the conspirators; and while the nation was under the influence of those terrors which the association had raised, and the late danger had augmented, they were believed without hesitation or enquiry, and spread a general alarm. Mary's zeal for her religion was well

known; and in that age, examples of the violent and sanguinary spirit which it inspired were numerous. All the cabals against the peace of the kingdom for many years had been carried on in her name; and it now appears evidently said the English, that the safety of the one queen is incompatible with that of the other. Why, then, added they, should the tranquillity of England be sacrificed for the sake of a stranger? Why is a life so dear to the nation exposed to the repeated assaults of an exasperated rival? The case supposed in the association has now happened, the sacred person of our sovereign has been threatened, and why should not an injured people execute that just vengeance which they had vowed?

No sentiments could be more agreeable than these to Elizabeth and her ministers. They themselves had at first propagated them among the people, and they now served both as an apology and a motive for their proceeding to such extremities against the Scottish queen as they had long meditated. The more injuries Elizabeth heaped on Mary, the more she feared and hated that unhappy queen, and came at last to be persuaded that there could be no other security for her own life, but the death of her rival. Burleigh and Walsingham had promoted so zealously all her measures with regard to Scottish affairs, and had acted with so little reserve in opposition to Mary, that they had reason to dread the most violent effects of her resentment, if ever she would mount the throne of England. And therefore they endeavoured to hinder an event so fatal to themselves, by confirming their mistress's fear and hatred of the Scottish queen.

Mean while, Mary was guarded with unusual vigilance, and great care was taken to keep her ignorant of the discovery of the conspiracy. Sir Thomas Georges was at last sent from court to acquaint her, both of it and of the imputation with which she was loaded as accessary to that crime; and he surprised her with the account just as she had got on horseback to ride out along with her keepers. She was struck with astonishment, and would have returned to her apartment, but she was

not permitted; and in her absence, her private closet was broken open, her cabinet and papers were seized, sealed and sent up to court. Her principal domestics too were arrested, and committed to different keepers. Nauè and Curle, her two secretaries the one a native of France, the other of Scotland, were carried prisoners to London. All the money in her custody, amounting to little more than two thousand pounds, was secured. And after leading her about for some days, from one gentleman's house to another, she was conveyed to Fotheringay, a strong castle in Northamptonshire *.

No farther evidence could now be expected against Mary, and nothing remained but to decide what should be her fate. With regard to this, Elizabeth, and those ministers in whom she chiefly confided, seem to have taken their resolution; but there was still great variety of sentiments among her other counsellors. Some thought it sufficient to dismiss all Mary's attendants, and to keep her under such close restraint, as would cut of all possibility of corresponding with the enemies of the kingdom; and as her constitution, broken by long confinement, and her spirit dejected with so many cares, could not long support such an additional load, the queen and nation would soon be delivered from all their fears. But though it might be easy to secure Mary's own person, it was impossible to diminish the reverence which the Roman catholics had for her name, or to extinguish the compassion with which they viewed her sufferings, while such sentiments continued, insurrections and invasions would never be wanting for her relief, and the only effect of any new rigour would be to render them more frequent and dangerous. For this reason the expedient was objected to.

A public and legal trial, though the most unexampled, was judged the most unexceptionable method of proceeding; and it had, at the same time, a semblance of justice, accompanied with an air of dignity. It was in vain to search the ancient records for any statute or precedent to justify such an uncommon step, as the trial of

* Camd. 517.

a foreign prince, who had not entered the kingdom in arms, but had fled thither for refuge. The proceedings against her were founded on the act of last parliament, and by applying it in this manner, the intention of those who had framed that severe statute became more apparent *.

Elizabeth resolved that no circumstance of pomp or solemnity should be wanting, which could render this transaction such as became the dignity of the person to be tried. She appointed, by a commission under the great seal, forty persons, the most illustrious in the kingdom by their birth or offices, together with five of the judges, to hear and decide this great cause. Many difficulties were started by the lawyers about the name and title by which Mary should be arraigned; and while the essentials of justice were so grossly violated, the empty forms of it were the objects of their care. They at length agreed that she should be styled "Mary, "daughter and heir of James V. late king of Scots, "commonly called queen of Scots, and dowager of "France †."

After the many indignities which she had lately suffered, Mary could no longer doubt but that her destruction was determined. She expected every moment to end her days by poison, or by some of those secret means usually employed against captive princes. Lest the malice of her enemies, at the same time that it deprived her of life, should endeavour likewise to blast her reputation, she wrote to the duke of Guise, and vindicated herself, in the strongest terms, from the imputation of encouraging or of being accessary to the conspiracy for assassinating Elizabeth ‡. In the solitude of her prison, the strange resolution of bringing her to a public trial had not reached her ears, nor did the idea of any thing so unprecedented, and so repugnant to regal majesty, once enter into her thoughts.

On the eleventh of October, the commissioners appointed by Elizabeth arrived at Fotheringay. Next

* Camd. 519. Johnst. Hist. 113. † Strype, iii. 362.
‡ Jebb, ii. 283.

morning they delivered a letter from her to Mary, in which, after the bittereſt reproaches and accuſations, ſhe informed her that regard to her own ſafety had at laſt rendered it neceſſary to make a public inquiry into her conduct, and therefore required her, as ſhe had lived ſo long under the protection of the laws of England, to ſubmit now to the trial which they ordained to be taken of her crimes. Mary, though ſurpriſed at this meſſage, was neither appalled at the danger, nor unmindful of her own dignity. She proteſted, in the moſt ſolemn manner, that ſhe was innocent of the crime laid to her charge, and had never countenanced any attempt againſt the life of the queen of England; but at the ſame time refuſed to acknowledge the juriſdiction of her commiſſioners. "I came into the kingdom," ſaid ſhe, "an independent ſovereign, to implore the queen's aſſiſtance, not to ſubject myſelf to her authority. Nor is "my ſpirit ſo broken by its paſt misfortunes, or ſo intimidated by preſent dangers, as to ſtoop to any thing "unbecoming the majeſty of a crowned head, or that "will diſgrace the anceſtors from whom I am deſcended, and the ſon to whom I ſhall leave my throne. "If I muſt be tried, princes alone can be my peers. "The queen of England's ſubjects, however noble "their birth may be, are of a rank inferior to mine. "Ever ſince my arrival in this kingdom I have been "confined as a priſoner. Its laws never afforded me "any protection. Let them not now be perverted, in "order to take away my life."

The commiſſioners employed arguments and intreaties to overcome Mary's reſolution. They even threatened to proceed according to the forms of law, and to paſs ſentence againſt her on account of her contumacy in refuſing to plead; ſhe perſiſted, however, for two days to decline their juriſdiction. An argument urged by Hatton, the vice-chamberlain, at laſt prevailed. He told her, that, by avoiding a trial, ſhe injured her own reputation, and deprived herſelf of the only opportunity of ſetting her innocence in a clear light; and that nothing would be more agreeable to them, or more acceptable to the queen their miſtreſs, than to be convin-

ced, by undoubted evidence, that ſhe had been unjuſtly loaded with theſe foul aſperſions.

No wonder pretexts ſo plauſible ſhould impoſe on the unwary queen, or that ſhe, unaſſiſted at that time by any friend or counſellor, ſhould not be able to detect and elude all the artifices of Elizabeth's ableſt miniſters. In a ſituation equally melancholy, and under circumſtances nearly ſimilar, her grandſon, Charles I. refuſed, with the utmoſt firmneſs, to acknowledge the uſurped juriſdiction of the high court of juſtice; and poſterity has approved his conduct, as ſuitable to the dignity of a king. If Mary was leſs conſtant in her reſolution, it muſt be imputed ſolely to her anxious deſire of vindicating her own honour.

At her appearance before the judges, who were ſeated in the great hall of the caſtle, where they received her with much ceremony, ſhe took care to proteſt, that by condeſcending to hear and to give an anſwer to the accuſations which ſhould be offered againſt her, ſhe neither acknowledged the juriſdiction of the court, nor admitted of the validity and juſtice of thoſe acts by which they pretended to try her.

The chancellor, by a counter-proteſtation, endeavoured to vindicate the authority of the court.

Then the queen's attorney and ſolicitor opened the charge againſt her, with all the circumſtances of the late conſpiracy. Copies of her letters to Mendoza, Babington, Engelfield, and Paget, were produced. Babington's confeſſion, thoſe of Ballard, Savage, and the other conſpirators, together with the declarations of Naué and Curle, her ſecretaries, were read, and the whole ranged in the moſt ſpecious order which the art of the lawyers could deviſe, and heightened by every colour their eloquence could add.

Mary liſtened to their harangues attentively, and without emotion. But at the mention of the earl of Arundel's name, who was then confined in the Tower, on ſuſpicion of being acceſſary to the conſpiracy, ſhe broke out into this tender and generous exclamation: "Alas! how much has the noble houſe of Howard "ſuffered for my ſake!"

When the queen's counfel had finifhed, Mary ftood up, and with great magnanimity, and equal prefence of mind, began her defence. She bewailed the unhappinefs of her own fituation, that after a captivity of nineteen years, during which fhe had fuffered treatment no lefs cruel than unmerited, fhe was at laft loaded with an accufation, which tended not only to rob her of her right of fucceffion, and to deprive her of life itfelf, but to tranfmit her name with infamy to future ages: That, without regarding the facred rights of fovereignty, fhe was now fubjected to laws framed againft private perfons; though an anointed queen, commanded to appear before the tribunal of fubjects; and, like a common criminal, her honour expofed to the petulant tongues of lawyers, capable of wrefting her words, and of mifreprefenting her actions: that, even in this difhonourable fituation, fhe was denied the privileges ufually granted to criminals, and obliged to undertake her own defence, without the prefence of any friend with whom to advife, without the aid of counfel, and without the ufe of her own papers.

She then proceeded to the particular articles in the accufation. She abfolutely denied any correfpondence with Babington or Ballard: copies only of her pretended letters to them were produced; though nothing lefs than her handwriting or fubfcription was fufficient to convict her of fuch an odious crime: no proof could be brought that the letters were delivered into her hands or that any anfwer was returned by her direction; the confeffions of wretches condemned and executed for fuch a deteftable action, were of little weight; fear or hope might extort from them many things inconfiftent with truth; nor ought the honour of a queen to be ftained by fuch vile teftimony. The declaration of her fecretaries was not more conclufive: promifes and threats might eafily overcome the refolution of two ftrangers; in order to fcreen themfelves, they might throw the blame on her; but they could difcover nothing to her prejudice, without violating, in the firft place, the oath of fidelity; and their perjury, in one inftance, rendered

them unworthy of credit in another: the letters to the Spanish ambassador were either nothing more than copies, or contained only what was perfectly innocent: "I have often," continued she, "made such efforts "for the recovery of my liberty, as are natural to a "human creature. Convinced, by the sad experience "of so many years, that it was vain to expect it from "the justice or generosity of the queen of England, I "have frequently solicited foreign princes, and called "upon all my friends to employ their whole interest "for my relief. I have likewise endeavoured to procure for the English catholics some mitigation of the "rigour with which they are now treated; and if I "could hope, by my death, to deliver them from oppression, I am willing to die for their sake. I wish, "however, to imitate the example of Esther, not of "Judith, and would rather make intercession for my "people, than shed the blood of the meanest creature, "in order to save them. I have often checked the "intemperate zeal of my adherents, when either the "severity of their own persecutions, or indignation at "the unheard-of injuries which I have endured, were "apt to precipitate them into violent councils. I have "even warned the queen of dangers to which these "harsh proceedings exposed herself. And worn out, "as I now am, with cares and sufferings, the prospect "of a crown is not so inviting, that I should ruin my "soul in order to obtain it. I am no stranger to the "feelings of humanity, nor unacquainted with the "duties of religion, and abhor the detestable crime "of assassination, as equally repugnant to both. And, "if ever I have given consent by my words, or even "by my thoughts, to any attempt against the life of "the queen of England, far from declining the judgment of men, I shall not even pray for the mercy of "God*."

Two different days did Mary appear before the judges, and in every part of her behaviour maintained the

* Camb. 520, &c.

magnanimity of a queen, tempered with the gentleneſs and modeſty of a woman.

The commiſſioners, by Elizabeth's expreſs command, adjourned, without pronouncing any ſentence, to the Star-Chamber in Weſtminſter. When aſſembled in that place, Naué and Curle were brought into court, and confirmed their declaration upon oath; and after reviewing all their former proceedings, the commiſſioners unanimouſly declared Mary "To be acceſ-"ſary to Babington's conſpiracy, and to have imagined "diverſe matters tending to the hurt, death, and de-"ſtruction of Elizabeth, contrary to the expreſs words "of the ſtatute made for the ſecurity of the queen's "life †."

It is no eaſy matter to determine whether the injuſtice in appointing this trial, or the irregularity in conducting it, were greateſt and moſt flagrant. By what right did Elizabeth claim authority over an independent queen? Was Mary bound to comply with the laws of a foreign kingdom? How could the ſubjects of another prince become her judges? or if ſuch an inſult on royalty were allowed, ought not the common forms of juſtice to have been obſerved? If the teſtimony of Babington and his aſſociates were ſo explicit, why did not Elizabeth ſpare them for a few weeks, and by confronting them with Mary, overwhelm her with the full conviction of her crimes? Naué and Curle were both alive, wherefore did they not appear at Fotheringay? and for what reaſon were they produced in the Star-Chamber, where Mary was not preſent to hear what they depoſed? Was this ſuſpicious evidence enough to condemn a queen? Ought the meaneſt criminal to have been found guilty upon ſuch feeble and inconcluſive proofs?

It was not, however, on the evidence produced at her trial, that the ſentence againſt Mary was founded. That ſerved as a pretence to juſtify, but was not the

† Camb. 525.

caufe of the violent fteps taken by Elizabeth and her minifters towards her deftruction; and was employed to give fome appearance of juftice to what was the offspring of jealoufy and fear. The nation, blinded with refentment againft Mary, and folicitous to fecure the life of its own fovereign from every danger, obferved no irregularities in the proceedings, and attended to no defects in the proof, but grafped at the fufpicions and probabilities, as if they had been irrefragable demonftrations.

The parliament met a few days after fentence was pronounced againft Mary. In that illuftrious affembly more temper and difcernment than are to be found among the people, might have been expected. Both lords and commons, however, were equally under the dominion of popular prejudices and paffions, and the fame exceffes of zeal, or of fear, which prevailed in the nation, are apparent in all their proceedings. They entered with impatience upon an inquiry into the confpiracy, and the danger which threatened the queen's life as well as the peace of the kingdom. All the papers which had been produced at Fotheringay, were laid before them; and after many violent invectives againft the queen of Scots, both houfes unanimoufly ratified the proceedings of the commiffioners by whom fhe had been tried, and declared the fentence againft her to be juft and well founded. Not fatisfied with this, they prefented a joint addrefs to the queen, befeeching her, as fhe regarded her own fafety, the prefervation of the proteftant religion, the welfare and wifhes of her people, to publifh the fentence; and without farther delay to inflict on a rival, no lefs irreclaimable than dangerous, the punifhment which fhe had merited by fo many crimes. This requeft, dictated by fears unworthy of that great affembly, was enforced by reafons ftill more unworthy. They were drawn not from juftice but from conveniency. The moft rigorous confinement, it was pretended, could not curb Mary's intriguing fpirit; her addrefs was found, by long experience, to be an overmatch for the vigilance and jealoufy of all her keepers; the fevereft penal laws

could not reftrain her adherents, who, while they believed her perfon to be facred, would defpife any danger to which themfelves alone were expofed: feveral foreign princes were ready to fecond their attempts, and waited only a proper opportunity for invading the kingdom, and afferting the Scottifh queen's title to the crown. Her life, for thefe reafons, was incompatible with Elizabeth's fafety; and if fhe were fpared out of a falfe clemency, the queen's perfon, the religion and liberties of the kingdom, could not be one moment fecure. Neceffity required that fhe fhould be facrificed in order to preferve thefe; and to prove this facrifice to be no lefs juft than neceffary, feveral examples in hiftory were produced, and many texts of fcripture quoted; but both the one and the other were mifapplied, and diftorted from their true meaning.

Nothing, however, could be more acceptable to Elizabeth, than an addrefs in this ftrain. It extricated her out of a fituation extremely embarraffing; and without depriving her of the power of fparing, it enabled her to punifh her rival with lefs appearance of blame. If fhe chofe the former, the whole honour would redound to her own clemency. If fhe determined on the latter, whatever was rigorous might now feem to be extorted by the folicitations of her people, rather than to flow from her own inclination. Her anfwer, however, was in a ftyle which fhe often ufed, ambiguous and evafive, under the appearance of opennefs and candour; full of fuch profeffions of regard for her people, as ferved to heighten their loyalty; of fuch complaints of Mary's ingratitude, as were calculated to excite their indignation; and of fuch infinuations that her own life was in danger, as could not fail to keep alive their fears. In the end fhe befought them to fave her the infamy and the pain of delivering up a queen, her neareft kinfwoman, to punifhment; and to confider whether it might not ftill be poffible to provide for the public fecurity, without forcing her to imbrue her hands in royal blood.

The true meaning of this reply was eafily underftood.

The lords and commons renewed their former requeſt with additional importunity, which was far from being either unexpected or offenſive. Elizabeth did not return any anſwer more explicit; and having obtained ſuch a public ſanction of her proceedings, there was no longer any reaſon for protracting this ſcene of diſſimulation; there was even ſome danger that her feigned difficulties might at laſt be treated as real ones; ſhe therefore adjourned the parliament, and reſerved in her own hands the ſole diſpoſal of her rival's fate *.

All the princes in Europe obſerved the proceedings againſt Mary with aſtoniſhment and horror; and even Henry III. notwithſtanding his known averſion to the houſe of Guiſe, was obliged to interpoſe in her behalf, and to appear in defence of the common rights of royalty. Aubeſpine his reſident ambaſſador, and Bellievre, who was ſent with an extraordinary commiſſion to the ſame purpoſe, interceded for Mary with great appearance of warmth. They employed all the arguments which the cauſe naturally ſuggeſted; they pleaded from juſtice, from generoſity, and humanity; they intermingled reproaches and threats. But to all theſe Elizabeth continued deaf and inexorable; and having received ſome intimation of Henry's real unconcern about the fate of the Scottiſh queen, and knowing his antipathy to all the race of Guiſe, that ſhe truſted theſe loud remonſtrances would be followed by no violent reſentment †.

She paid no greater regard to the ſolicitations of the Scottiſh king, which, as they were urged with more ſincerity, merited more attention. Though her commiſſioners had been extremely careful to ſoothe James, by publiſhing a declaration that their ſentence againſt Mary did, in no degree, derogate from his honour, or invalidate any title which he formerly poſſeſſed; he beheld the indignities to which his mother had been expoſed with filial concern, and with the ſentiments which became a king. The pride of the Scottiſh nation was rouſed, by the inſult offered to the blood of

* Camd. 526. D'Ewes, 375. † Camd. 531.

their monarchs, and called upon him to employ the moſt vigorous efforts, in order to prevent or to revenge the queen's death.

At firſt, he could ſcarce believe that Elizabeth would venture upon an action ſo unprecedented, which tended ſo viſibly to render the perſon of princes leſs ſacred in the eyes of the people, and which degraded the regal dignity, of which, at other times, ſhe was ſo remarkably jealous. But as ſoon as the extraordinary ſteps which ſhe took diſcovered her intention, he deſpatched ſir William Keith to London; who, together with Douglas his ambaſſador in ordinary, remonſtrated, in the ſtrongeſt terms, againſt the injury done to an independent queen, in ſubjecting her to be tried like a private perſon, and by laws to which ſhe owed no obedience; and beſought Elizabeth not to add to this injury, by ordering a ſentence unjuſt in itſelf, as well as diſhonourable to the king of Scots, to be put into execution *.

Elizabeth returning no anſwer to theſe remonſtrances of his ambaſſador, James wrote to her with his own hand, complaining in the bittereſt terms of her conduct, not without threats that both his duty and his honour would oblige him to renounce her friendſhip, and to act as became a ſon when called to revenge his mother's wrongs†. At the ſame time he aſſembled the nobles, who promiſed to ſtand by him in ſo good a cauſe. He appointed ambaſſadors to France, Spain, and Denmark, in order to implore the aid of theſe courts; and took other ſteps towards executing his threats with vigour. The high ſtrain of his letter enraged Elizabeth to ſuch a degree, that ſhe was ready to diſmiſs his ambaſſadors without any reply. But his preparations alarmed and embarraſſed her miniſters, and at their entreaty ſhe returned a ſoft and evaſive anſwer, promiſing to liſten to any overture from the king, that tended to his mother's ſafety; and to ſuſpend

* See Append. No. XVI. Murdin, 573, &c. Birch. Mem. i. 5 †Ibid.

the execution of the sentence, until the arrival of new ambassadors from Scotland †.

Mean while she commanded the sentence against Mary to be published, and forgot not to inform the people, that this was extorted from her by the repeated entreaties of both houses of parliament. At the same time she despatched Lord Buckhurst and Beale to acquaint Mary with the sentence, and how importunately the nation demanded the execution of it; and though she had not hitherto yielded to these solicitations, she advised her to prepare for an event which might become necessary for securing the protestant religion, as well as quieting the minds of the people. Mary received the message not only without symptoms of fear, but with expressions of triumph. "No wonder," said she, "the English should now thirst for the blood of a "foreign prince, they have often offered violence to "their own monarchs. But after so many sufferings, "death comes to me as a welcome deliverer. I am "proud to think that my life is esteemed of import-"ance to the catholic religion, and as a martyr for it "I am now willing to die ‡."

After the publication of the sentence Mary was stripped of every remaining mark of royalty. The canopy of state in her apartment was pulled down; Paulet entered her chamber, and approached her person without any ceremony; and even appeared covered in her presence. Shocked with these indignities, and offended at this gross familiarity, to which she had never been accustomed, Mary once more complained to Elizabeth; and at the same time, as her last request, entreated that she would permit her servants to carry her dead body into France, to be laid among her ancestors in hallowed ground; that some of her domestics might be present at her death, to bear witness of her innocence, and firm adherence to the catholic faith; that all her servants might be suffered to leave the kingdom, and to enjoy those small legacies which she should bestow on them, as testimonies of

† Spotsw. 251. Cald. iv. 5. ‡ Camd. 528. Jebb, 291.

her affection; and that, in the mean time, her almoner, or some other catholic priest, might be allowed to attend her, and to assist her in preparing for an eternal world. She besought her, in the name of Jesus, by the soul and memory of Henry VII. their common progenitor, by their near consanguinity, and the royal dignity with which they were both invested, to gratify her in these particulars, and to indulge her so far as to signify her compliance by a letter under her own hand. Whether Mary's letter was ever delivered to Elizabeth is uncertain. No answer was returned, and no regard paid to her requests. She was offered a protestant bishop or dean to attend her. Them she rejected, and without any clergyman to direct her devotions, she prepared, in great tranquillity, for the approach of death, which she now believed to be at no great distance *.

James, without losing a moment, sent new ambassadors to London. These were the master of Gray, and sir Robert Melvil. In order to remove Elizabeth's fears, they offered that their master would become bound that no conspiracy should be undertaken against her person, or the peace of the kingdom, with Mary's consent; and for the faithful performance of this, would deliver some of the most considerable of the Scottish nobles as hostages. If this were not thought sufficient, they proposed that Mary should resign all her rights and pretensions to her son, from whom nothing injurious to the protestant religion, or inconsistent with Elizabeth's safety, could be feared. The former proposal Elizabeth rejected as insecure; the latter, as dangerous. The ambassadors were then instructed to talk in a higher tone; and Melvil executed the commission with fidelity and with zeal. But Gray, with his usual perfidy, deceived his master, who trusted him with a negotiation of so much importance, and betrayed the queen whom he was employed to save. He encouraged and urged Elizabeth to execute the sentence against her rival. He often repeated the old proverbi-

* Camd. 528. Jebb. ii. 295.

al sentence, "The dead cannot bite." And whatever should happen, he undertook to pacify the king's rage, or at least to prevent any violent effects of his resentment*.

Elizabeth, mean while, discovered all the symptoms of the most violent agitation and disquietude of mind. She shunned society, she was often found in a melancholy and musing posture, and repeated with much emphasis these sentences which she borrowed from some of the devices then in vogue; *Aut fer aut feri; ne feriare, feri.* Much, no doubt, of this apparent uneasiness must be imputed to dissimulation; it was impossible, however, that a princess, naturally so cautious as Elizabeth, should venture on an action, which might expose her memory to infamy, and her life and kingdom to danger, without reflecting deeply, and hesitating long. The people waited her determination in suspense and anxiety; and least their fear or their zeal should subside, rumours of danger were artfully invented, and propagated with the utmost industry. Aubespine, the French ambassador, was accused of having suborned an assassin to murder the queen. The Spanish fleet was said by some to be already arrived at Milford-haven. Others affirmed that the duke of Guise had landed with a strong army in Sussex. Now, it was reported that the northern counties were up in arms; next day, that the Scots had entered England with all their forces; and a conspiracy, it was whispered, was on foot for seizing the queen and burning the city. The panic grew every day more violent; and the people, astonished and enraged, called for the execution of the sentence against Mary, as the only thing which could restore tranquillity to the kingdom †.

While these sentiments prevailed among her subjects, Elizabeth thought she might safely venture to strike the blow, which she had so long meditated. She commanded Davison, one of the secretaries of state, to bring to her the fatal warrant, and her behaviour on that occasion plainly shewed, that it is not to humanity that

* See Append. No. XVI. † Camd. 533, 534.

we must ascribe her forbearance hitherto. At the very moment she was subscribing the writ which gave up a woman, a queen, and her own nearest relation into the hands of the executioner, she was capable of jesting, "Go," says she to Davison, "and tell Walsingham "what I have now done, though I am afraid he will "die for grief when he hears it." Her chief anxiety was how to secure the advantages which would arise from Mary's death, without appearing to have given her consent to a deed so infamous. She often hinted to Paulet and Drury, as well as to some other courtiers, that now was the time to discover the sincerity of their concern for her safety; and that she expected their zeal would extricate her out of her present perplexity. But they were wise enough to seem not to understand her meaning. Even after the warrant was signed, she commanded a letter to be written to Paulet, in less ambiguous terms, complaining of his remissness in sparing so long the life of her capital enemy, and begging him to remember at last what was incumbent on him as an affectionate subject, and to deliver his sovereign from continual fear and danger, by shortening the days of his prisoner. Paulet, though rigorous and harsh, and often brutal in the discharge of what he thought his duty, as Mary's keeper, was nevertheless a man of honour and integrity. He rejected the proposal with disdain; and lamenting that he should ever have been deemed capable of acting the part of an assassin, he declared that the queen might dispose of his life at her pleasure, but that he would never stain his own honour, nor leave an everlasting mark of infamy on his posterity, by lending his hand to perpetrate so foul a crime. On the receipt of this answer, Elizabeth became extremely peevish; and calling him a *dainty* and *precise fellow*, who would promise much, but perform nothing, she proposed to employ one Wingfield, who had both courage and inclination to strike the blow †. But Davison remonstrating against this method as no less dangerous than dishonourable, she

† Biogr. Britan. article Davison.

again declared her intention that the ſentence pronounced by the commiſſioners ſhould be executed according to law; and as ſhe had already ſigned the warrant, ſhe begged that no farther application might be made to her on that head. By this the privy-counſellors thought themſelves ſufficiently authoriſed to proceed; and prompted, as they pretended, by zeal for the queen's ſafety, or inſtigated, as is more probable, by the apprehenſion of the danger to which they would themſelves be expoſed, if the life of the queen of Scots were ſpared, they aſſembled in the council chamber; and by a letter under all their hands, empowered the earls of Shrewſbury and Kent, together with the high ſheriff of the county, to ſee the ſentence put in execution §.

On Tueſday the 7th of February, 1587, the two earls arrived at Fotheringay, and demanded acceſs to the queen, read in her preſence the warrant for execution, and required her to prepare to die next morning. Mary heard them to the end without emotion, and croſſing herſelf in the name of the Father, and of the Son, and of the Holy Ghoſt, "That ſoul," ſaid ſhe, "is not "worthy of the joys of heaven, which repines becauſe "the body muſt endure the ſtroke of the executioner; "and though I did not expect that the queen of Eng-"land would ſet the firſt example of violating the "ſacred perſon of a ſovereign prince, I willingly ſub-"mit to that which Providence has decreed to be my "lot," and laying her hand on a Bible, which happened to be near her, ſhe ſolemnly proteſted that ſhe was innocent of that conſpiracy which Babington had carried on againſt Elizabeth's life †. She then mentioned the requeſts contained in her letter to Elizabeth, but obtained no ſatisfactory anſwer. She entreated with particular earneſtneſs, that now in her laſt moments her almoner might be ſuffered to attend her, and that ſhe might enjoy the conſolation of thoſe pious inſtitutions preſcribed by her religion. Even this favour, which is uſually granted to the vileſt criminal, was abſolutely denied.

§ Camd. 534. Strype, iii. 361, 364. † Jebb, ii. 301.

Her attendants, during this converſation, were bathed in tears, and though overawed by the preſence of the two earls with difficulty ſuppreſſed their anguiſh; but no ſooner did Kent and Shrewſbury withdraw, than they ran to their miſtreſs, and burſt out into the moſt paſſionate expreſſions of tenderneſs and ſorrow. Mary, however, not only retained perfect compoſure of mind, but endeavoured to moderate their exceſſive grief; and falling on her knees, with all her domeſtics around her, ſhe thanked Heaven that her ſufferings were now ſo near an end, and prayed that ſhe might be enabled to endure what ſtill remained with decency and with fortitude. The greater part of the evening ſhe employed in ſettling her worldly affairs. She wrote her teſtament with her own hand. Her money, her jewels, and her clothes, ſhe diſtributed among her ſervants, according to their rank or merit. She wrote a ſhort letter to the king of France, and another to the duke of Guiſe, full of tender but magnanimous ſentiments, and recommended her ſoul to their prayers, and her afflicted ſervants to their protection. At ſupper ſhe ate temperately, as uſual, and converſed not only with eaſe, but with cheerfulneſs; ſhe drank to every one of her ſervants, and aſked their forgiveneſs, if ever ſhe had failed in any part of her duty towards them. At her wonted time ſhe went to bed, and ſlept calmly a few hours. Early in the morning ſhe retired into her cloſet, and employed a conſiderable time in devotion. At eight o'clock the high ſheriff and officers entered her chamber, and found her ſtill kneeling at the altar. She immediately ſtarted up, and with a majeſtic mien, and a countenance undiſmayed, and even cheerful, advanced towards the place of execution, leaning on two of Paulet's attendants. She was dreſſed in a mourning habit, but with an elegance and ſplendour which ſhe had long laid aſide, except on a few feſtival days. An *Agnus Dei* hung by a pomander chain at her neck; her beads at her girdle; and in her hand ſhe carried a crucifix of ivory. At the foot of the ſtairs the two earls, attended by ſeveral gentlemen from the neighbouring

counties, received her; and there sir Andrew Melvil, the master of her houshold, who had been secluded for some weeks from her presence, was permitted to take his last farewel. At the sight of a mistress whom he tenderly loved, in such a situation, he melted into tears; and as he was bewailing her condition, and complaining of his own hard fate, in being appointed to carry the account of such a mournful event into Scotland, Mary replied, "Weep not, good Melvil, there is at present "great cause for rejoicing. Thou shalt this day see "Mary Stewart delivered from all her cares, and such "an end put to her tedious sufferings, as she has long "expected. Bear witness that I die constant in my re-"ligion; firm in my fidelity towards Scotland; and un-"changed in my affection to France. Commend me to "my son. Tell him I have done nothing injurious to "his kingdom, to his honour or to his rights; and God "forgive all those who have thirsted without cause for "my blood."

With much difficulty, and after many entreaties, she prevailed on the two earls to allow Melvil, together with three of her men servants and two of her maids, to attend her to the scaffold. It was erected in the same hall where she had been tried, raised a little above the floor, and covered, as well as a chair, the cushion, and block, with black cloth. Mary mounted the steps with alacrity, beheld all this apparatus of death with an unaltered countenance, and signing herself with the cross, she sat down in the chair. Beale read the warrant for execution with a loud voice, to which she listened with a careless air, and like one occupied in other thoughts. Then the dean of Peterborough began a devout discourse, suitable to her present condition, and offered up prayers to Heaven in her behalf; but she declared that she could not in conscience hearken to the one, nor join with the other; and falling on her knees, repeated a Latin prayer. When the dean had finished his devotions, she, with an audible voice, and in the English tongue, recommended unto God the afflicted state of the church, and prayed for prosperity to her son, and for a long life and peaceable reign to Elizabeth. She

declared that she hoped for mercy only through the death of Christ, at the foot of whose image she now willingly shed her blood; and lifting up and kissing the crucifix, she thus addressed it: "As thy arms, O Jesus, were extended on the cross; so with the outstretched arms of thy mercy receive me, and forgive my sins."

She then prepared for the block, by taking off her veil and upper garments; and one of the executioners rudely endeavouring to assist, she gently checked him, and said with a smile, that she had not been accustomed to undress before so many spectators, nor to be served by such valets. With calm but undaunted fortitude, she laid her neck on the block; and while one executioner held her hands, the other, at the second stroke, cut off her head, which falling out of its attire, discovered her hair already grown quite grey with cares and sorrows. The executioner held it up still streaming with blood, and the dean crying out, "So perish all queen Elizabeth's enemies," the earl of Kent alone answered Amen. The rest of the spectators continued silent, and drowned in tears, being incapable, at that moment, of any other sentiments but those of pity or admiration *.

Such was the tragical death of Mary queen of Scots, after a life of forty-four years and two months, almost nineteen years of which she passed in captivity. The political parties which were formed in the kingdom during her reign have subsisted, under various denominations, ever since that time. The rancour with which they were at first animated, hath descended to succeeding ages, and their prejudices as well as their rage, have been perpetuated, and even augmented. Among historians, who were under the dominion of all those passions, and who have either ascribed to her every virtuous and amiable quality, or have imputed to her all the vices of which the human heart is susceptible, we search in vain for Mary's real character. She neither merited the ex-

* Camd. 534. Spotsw. 355. Jebb, ii. 300. Strype, iii. 383. See Appendix, No. XVIII.

aggerated praifes of the one, nor the undiftinguifhing cenfure of the other.

To all the charms of beauty, and the utmoft elegance of external form, fhe added thofe accomplifhments which render their impreffion irrefiftable. Polite, affable, infinuating, fprightly, and capable of fpeaking and of writing with equal eafe and dignity. Sudden, however, and violent in all her attachments; becaufe her heart was warm and unfufpicious. Impatient of contradiction; becaufe fhe had been accuftomed from her infancy to be treated as a queen. No ftranger, on fome occafions, to diffimulation; which, in that perfidious court where fhe received her education, was reckoned among the neceffary arts of government. Not infenfible of flattery, or unconfcious of that pleafure with which almoft every woman beholds the influence of her own beauty. Formed with the qualities which we love, not with the talents that we admire; fhe was an agreeable woman, rather than an illuftrious queen. The vivacity of her fpirit not fufficiently tempered with found judgment, and the warmth of her heart, which was not at all times under the reftraint of difcretion, betrayed her both into errors and into crimes. To fay that fhe was always unfortunate, will not account for that long and almoft uninterrupted fucceffion of calamities which befel her; we muft likewife add, that fhe was often imprudent. Her paffion for Darnly was rafh, youthful, and exceffive; and though the fudden tranfition to the oppofite extreme, was the natural effect of her ill-requited love, and of his ingratitude, infolence, and brutality; yet neither thefe, nor Bothwell's artful addrefs and important fervices can juftify her attachment to that nobleman. Even the manners of the age, licentious as they were, are no apology for this unhappy paffion; nor can they induce us to look on that tragical and infamous fcene which followed upon it, with lefs abhorrence. Humanity will draw a veil over this part of her character which it cannot approve, and may, perhaps, prompt fome to impute fome of her actions to her fituation, more than to her difpofitions; and to lament the unhappinefs of the former, rather than accufe the perverfenefs of the latter. Mary's

sufferings exceed, both in degree and in duration those tragical distresses which fancy has feigned to excite sorrow and commiseration; and while we survey them, we are apt altogether to forget her frailties, we think of her faults with less indignation, and approve of our tears, as if they were shed for a person who had attained much nearer to pure virtue.

With regard to the queen's person, a circumstance not to be omitted in writing the history of a female reign, all contemporary authors agree in ascribing to Mary the utmost beauty of countenance, and elegance of shape, of which the human form is capable. Her hair was black, though according to the fashion of that age, she frequently wore borrowed locks, and of different colours. Her eyes were a dark grey; her complexion was exquisitely fine; and her hands and arms remarkably delicate, both as to shape and colour. Her stature was of an height that rose to the majestic. She danced, she walked, and rode with equal grace. Her taste for music was just, and she both sung and played upon the lute with uncommon skill. Towards the end of her life she began to grow fat, and her long confinement, and the coldness of the houses in which she was imprisoned, brought on a rheumatism, which often deprived her of the use of her limbs. No man, says Brantome, ever beheld her person without admiration and love, or will read her history without sorrow.

None of her women were suffered to come near her dead body, which was carried into a room adjoining to the place of execution, where it lay for some days, covered with a coarse cloth torn from a biliard table. The block, the scaffold, the aprons of the executioners, and every thing stained with her blood, were reduced to ashes. Not long after, Elizabeth appointed her body to be buried in the cathedral of Peterborough with royal magnificence. But this vulgar artifice was employed in vain; the pageantry of a pompous funeral did not efface the memory of those injuries which laid Mary in her grave. James, soon after his accession to the English throne, ordered her body to be removed to West-

minſter-abbey, and to be depoſited among the monarchs of England.

Elizabeth affected to receive the accounts of Mary's death with the moſt violent emotions of ſurpriſe and of concern. Sighs, tears, lamentations and mourning, were all employed to diſplay the reality and greatneſs of her ſorrow. Evident marks of diſſimulation and artifice may be traced through every period of Elizabeth's proceedings againſt the life of the Scottiſh queen. The commiſſion for bringing Mary to a public trial was ſeemingly extorted from her by the intreaties of her privy-counſellors. She delayed publiſhing the ſentence againſt her till ſhe was twice ſolicited by both houſes of parliament. Nor did ſhe ſign the warrant for execution without the utmoſt apparent reluctance. One ſcene more of the boldeſt and moſt ſolemn deceit remained to be exhibited. She undertook to make the world believe that Mary had been put to death without her knowledge and againſt her will. And Daviſon, who neither ſuſpected her intention nor his own danger, was her inſtrument in carrying on this artifice, and fell a victim to it.

It was his duty, as ſecretary of ſtate, to lay before her the warrant for execution, in order to be ſigned; and by her command, he carried it to the great ſeal. She pretended, however that ſhe had charged him not to communicate what ſhe had done to any perſon, nor to ſuffer the warrant to go out of his hands, without her expreſs permiſſion; that, in contempt of this order, he had not only revealed the matter to ſeveral of her miniſters, but had, in concert with them, aſſembled her privy-counſellors, by whom, without her conſent or knowledge, the warrant was iſſued, and the earls of Shrewſbury and Kent impowered to put it in execution. Though Daviſon denied all this, and with circumſtances which bear the ſtrongeſt marks of truth and credibility; though it can ſcarcely be conceived that her privy-council, compoſed of the perſons in whom ſhe moſt confided, of her miniſters and favourites, would aſſemble within the walls of her palace, and venture to tranſact a matter of ſo much importance without her privity; and contrary to

her inclination; yet ſo far did ſhe carry this diſſimulation, that with all the ſigns of diſpleaſure and of rage ſhe baniſhed moſt of her counſellors out of her preſence; and treated Burleigh, in particular, ſo harſhly, and with ſuch marks of diſguſt, that he gave himſelf up for loſt, and in the deepeſt affliction wrote to the queen, begging leave to reſign all his places, that he might retire to his own eſtate. Daviſon ſhe inſtantly deprived of his office, and committed him a cloſe priſoner to the Tower. He was ſoon after brought to a ſolemn trial in the Star Chamber, condemned to pay a fine of ten thouſand pounds, and to be impriſoned during the queen's pleaſure. He languiſhed ſeveral years in confinement, and never recovered any degree of favour or of power. As her jealouſy and fear had bereaved the queen of Scots of life, in order to palliate this part of her conduct, Elizabeth made no ſcruple of ſacrificing the reputation and happineſs of one of the moſt virtuous and able men in her kingdom*.

This ſolemn farce, for it deſerves no better name, furniſhed Elizabeth, however, with an apology to the king of Scots. As the proſpect of his mother's danger had excited the king's filial care and concern, the account of her death filled him with grief and reſentment. His ſubjects felt the diſhonour done to him and to the nation. In order to ſoothe both, Elizabeth inſtantly deſpatched Robert Carey, one of lord Hunſdon's ſons, with a letter expreſſing her extreme affliction on account of that miſerable accident, which as ſhe pretended, had happened far contrary to her appointment or intention. James would not permit her meſſenger to enter Scotland; and with ſome difficulty received a memorial he ſent from Berwick. It contained the tale concerning Daviſon, dreſſed up with all the circumſtances which intended to exculpate Elizabeth, and to throw the whole blame on his raſhneſs or treachery. Such a defence gave little ſatisfaction, and was conſidered as mockery added to inſult; and many of the nobles, as well as the king,

* Camd. 536. Strype, iii. 370. See Append. No. XIX. Cabala, 229, &c.

breathed nothing but revenge. Elizabeth was extremely folicitous to pacify them, and wanted neither inftruments nor reafons to gain her end. Leicefter wrote to the king, and Walfingham to fecretary Maitland. They reprefented the certain deftruction to which James would expofe himfelf, if, with the forces of Scotland alone, he fhould venture to attack a kingdom fo far fuperior in power; that the hiftory of paft ages, as well as his mother's fad experience, might convince him, that nothing could be more dangerous, or deceitful, than dependence on foreign aid; that the king of France would never wifh to fee the Britifh dominions united under one monarch, nor contribute to inveft a prince fo nearly allied to the houfe of Guife with fuch formidable power; that Philip might be a more active ally, but would certainly prove a more dangerous one, and, under pretence of affifting him, would affert his own right to the Englifh crown, which he already began openly to claim; that the fame ftatute, on which the fentence of death againft his mother had been founded, would juftify the excluding him from the fucceffion to the crown; that the Englifh, naturally averfe from the dominion *of ftrangers, would not fail, if exafperated by his hoftilities, to apply it in that manner; that Elizabeth was difpofed to repair the wrongs which the mother had fuffered, by her tendernefs and affection towards the fon; and that, by engaging in a fruitlefs war, he would deprive himfelf of a noble inheritance, which, by cultivating her friendfhip, he muft infallibly obtain. Thefe reprefentations, added to the confcioufnefs of his own weaknefs, to the fmallnefs of his revenues, to the mutinous fpirit of fome of the nobles, to the dubious fidelity of others, and to the influence of that faction which was entirely at Elizabeth's devotion, convinced James that a war with England, however juft, would in the prefent juncture be altogether impolitical. All thefe confiderations induced him to ftifle his refentment; to appear fatisfied with the punifhment inflicted on Davifon; and to preferve all the femblances of friendfhip with the Englifh court ‖. In

‖ Spotfw. 362. Cald. iv. 13, 14. * Strype, iii. 377.

this manner did the cloud which threatened such a storm pass away. Mary's death, like that of a common criminal, remained unavenged by any prince; and whatever infamy Elizabeth might incur, she was exposed to no new danger on that account.

Mary's death, however, proved fatal to the master of Gray, and lost him that favour which he had for some time possessed. He was become as odious to the nation as favourites, who acquire power without merit, and exercise it without discretion, usually are. The treacherous part, which he had acted during his late embassy, was well known, and filled the king, who at length came to the knowledge of it, with surprise. The courtiers observed the symptoms of disgust arising in the king's mind, his enemies seized the opportunity, and sir William Stewart, in revenge of the perfidy with which Gray had betrayed his brother captain James, publicly accused him before a convention of nobles, not only of having contributed, by his advice and suggestions, to take away the life of the queen, but of holding correspondence with popish princes, in order to subvert the religion established in the kingdom. Gray, unsupported by the king, deserted by all, and conscious of his own guilt, made a feeble defence. He was condemned to perpetual banishment, a punishment very unequal to his crimes. But the king was unwilling to abandon one whom he had once favoured so highly, to the rigour of justice, and lord Hamilton, his near relation, and the other nobles who had lately returned from exile, in gratitude for the zeal with which he had served them, interceded warmly in his behalf.

Having thus accomplished the destruction of one of his enemies, captain James thought the juncture favourable for prosecuting his revenge on them all. He singled out secretary Maitland, the most eminent both for abilities and enmity to him; and offered to prove that he was no less accessary than Gray to the queen's death, and had even formed a design of delivering up the king himself into the hands of the English. But time and absence had, in great measure, extinguished the king's affection for a minion who so little deserved it.

All the courtiers combined againſt him as a common enemy; and inſtead of gaining his point, he had the mortification to ſee the office of chancellor conferred upon Maitland, who, together with that dignity, enjoyed all the power and influence of a prime miniſter.

In the aſſembly of the church, which met this year, the ſame hatred to the order of biſhops, and the ſame jealouſy and fear of their encroachments, appeared. But as the king was now of full age, and a parliament was ſummoned on that occaſion, the clergy remained ſatisfied with appointing ſome of their number to repreſent their grievances to that court, from which great things were expected.

Previous to this meeting of parliament, James attempted a work worthy of a king. The deadly feuds which ſubſiſted between many of the great families, and which were tranſmitted from one generation to another, weakened the ſtrength of the kingdom; contributed, more than any other circumſtance, to preſerve a fierce and barbarous ſpirit among the nobles; and proved the occaſion of many diſaſters to themſelves and to their country. After many preparatory negotiations, he invited the contending parties to a royal entertainment in the palace of Holyrood-houſe; and partly by his authority, partly by his intreaties, obtained their promiſe to bury their diſſenſions in perpetual oblivion. From thence he conducted them, in ſolemn proceſſion, through the ſtreets of Edinburgh, marching by pairs, each hand in hand with his enemy. A collation of wine and ſweetmeats was prepared at the public croſs, and there they drank to each other, with all the ſigns of reciprocal forgiveneſs and of future friendſhip. The people, who were preſent at a ſpectacle ſo unuſual, conceived the moſt ſanguine hopes of ſeeing concord and tranquillity eſtabliſhed in every part of the kingdom, and teſtified their ſatiſfaction by repeated acclamations. Unhappily, the effects of this reconciliation were not correſpondent either to the pious endeavours of the king, or the fond wiſhes of the people.

The firſt care of the parliament was the ſecurity of the proteſtant religion. All the laws paſſed in its fa-

vour, ſince the Reformation, were ratified; and a new and ſevere one was enacted againſt ſeminary prieſts and Jeſuits, whoſe reſtleſs induſtry in making proſelytes, brought many of them into Scotland about this time. Two acts of this parliament deſerve more particular notice on account of the conſequences with which they were followed.

The one reſpected the lands of the church. As the public revenues were not ſufficient for defraying the king's ordinary charges; as the adminiſtration of the government became more complicate and more expenſive; as James was naturally profuſe, and a ſtranger to economy; it was neceſſary, on all theſe accounts, to provide ſome fund proportioned to his exigencies. But no conſiderable ſum could be levied on the commons, who did not enjoy the benefit of an extenſive commerce. The nobles were unaccuſtomed to bear the burden of heavy taxes. The revenues of the church were the only ſource whence a proper ſupply could be drawn. Notwithſtanding all the depredations of the laity ſince the Reformation, and the various devices which they had employed to ſeize the church lands, ſome conſiderable portion of them remained ſtill unalienated, and were held either by the biſhops who poſſeſſed the benefices, or were granted to laymen during pleaſure. All theſe lands were, in this parliament, annexed, by one general law*, to the crown, and the king was empowered to apply the rents of them to his own uſe. The tithes alone were reſerved for the maintenance of the perſons who ſerved the cure, and the principal manſion-houſe, with a few acres of land, by way of glebe, alloted for their reſidence. By this great acceſſion of property, it is natural to conclude that the king muſt have acquired a vaſt increaſe of power, and the influence of the nobles have ſuffered a proportional diminution. The very reverſe of this ſeems, however, to have been the caſe. Almoſt all grants of church-lands, prior to this act, were thereby confirmed; and titles, which were formerly reckoned precarious,

* Parl. 11. Jac. VI. c. 29.

derived from thence the ſanction of parliamentary authority. James was likewiſe authoriſed, during a limited time, to make new alienations; and ſuch was the facility of his temper, ever ready to yield to the ſolicitations of his ſervants, and to gratify their moſt extravagant demands, that not only during the time limited, but throughout his whole reign, he was continually employed in beſtowing, and his parliament in ratifying, grants of that kind to his nobles; hence little advantage accrued to the crown from that which might have been ſo valuable an addition to its revenues. The biſhops, however, were great ſufferers by the law. But at this juncture neither the king nor his miniſters were ſolicitous about the intereſt of an order of men, odious to the people, and perſecuted by the clergy. Their enemies promoted the law with the utmoſt zeal. The proſpect of ſharing in their ſpoils induced all parties to conſent to it; and after a ſtep ſo fatal to the wealth and power of the dignified clergy, it was no difficult matter to introduce that change in the government of the church which ſoon after took place†.

The change which the other ſtatute produced in the civil conſtitution was no leſs remarkable. Under the feudal ſyſtem, every freeholder or vaſſal of the crown had a right to be preſent in parliament. Theſe freeholders were originally few in number, but poſſeſſed of great and extenſive property. By degrees theſe vaſt poſſeſſions were divided by the proprietors themſelves, or parcelled out by the prince, or ſplit by other accidents. The number of freeholders became greater, and their condition more unequal: beſides the ancient barons, who preſerved their eſtates and their power unimpaired, there aroſe another order, whoſe rights were the ſame, though their wealth and influence were far inferior. But, in thoſe rude ages, when the art of government was extremely imperfect, when parliaments were ſeldom aſſembled, and deliberated on matters little intereſting to a martial people, few of the *leſſer barons* took their ſeats, and the whole parliamentary juriſ-

† Spotſw. 365.

diction was exercised by the *greater barons*, together with the ecclesiastical order. James I. fond of imitating the forms of the English constitution, to which he had been long accustomed, and desirous of providing a counterpoise to the power of the great nobles, procured an act in the year one thousand four hundred and twenty-seven, dispensing with the personal attendance of the lesser barons, and empowering those in each county to choose two commissioners to represent them in parliament. This law, like many other regulations of that wise prince, produced little effect. All the king's vassals continued, as formerly, possessed of a right to be present in parliament; but, unless in some extraordinary conjunctures, none but the greater barons attended. But, by means of the Reformation, the constitution had undergone a great change. The aristocratical power of the nobles had been much increased, and the influence of the ecclesiastical order, which the crown usually employed to check their usurpations, and to balance their authority, had diminished in proportion. Many of the abbies and priories had been erected into temporal peerages, and the protestant bishops, an indigent race of men, and odious to the nation, were far from possessing the weight and credit which their predecessors derived from their exorbitant wealth, and the superstitious reverence of the people. In this situation, the king had recourse to the expedient employed by James I. and obtained a law reviving the statute of one thousand four hundred and twenty-seven; and from that time the commons of Scotland have sent their representatives to parliament. An act, which tended so visibly to abridge their authority, did not pass without opposition from many of the nobles. But as the king had a right to summon the lesser barons to attend in person, others were apprehensive of seeing the house filled with a multitude of his dependents, and consented the more willingly to a law which laid them under the restriction of appearing only by their representatives.

The year one thousand five hundred and eighty-

eight began with an universal expectation throughout all Europe, that it was to be distinguished by wonderful events and revolutions. Several astrologers, according to the accounts of contemporary historians, had predicted this; and the situation of affairs in the two principal kingdoms of Europe was such, that a sagacious observer, without any supernatural intelligence, might have hazarded the prediction, and have foreseen the approach of some grand crisis. In France, it was evident from the astonishing progress of the league, conducted by a leader whose ambition was restrained by no scruples, and whose genius had hitherto surmounted all difficulties; as well as from the timid, variable, and impolitic councils of Henry III. that either that monarch must submit to abandon the throne, of which he was unworthy, or by some sudden and daring blow cut off his formidable rival. Accordingly, in the beginning of the year, the duke of Guise drove his master out of his capital city, and forced him to conclude a peace, which left him only the shadow of royalty; and before the year expired, he himself fell a victim to Henry's fears, and to his own security. In Spain the operations were such as promised something still more uncommon. During three years Philip had employed all the power of his European dominions, and exhausted the treasures of the Indies, in vast preparations for war. A fleet, the greatest that ever had appeared in the ocean, was ready to sail from Lisbon, and a numerous land army was assembled to embark on board of it. Its destination was still unknown, though many circumstances made it probable that the blow was aimed, in the first place, against England. Elizabeth had long given secret aid to the revolted provinces in the Low Countries, and now openly afforded them her protection. A numerous body of her troops was in their service; the earl of Leicester commanded their armies; she had great sway in the civil government of the republic; and some of its most considerable towns were in her possession. Her fleets had insulted the coasts of Spain, intercepted the galleons from the West Indies, had threatened the colonies there. Roused by so many

injuries, allured by views of ambition, and animated by a ſuperſtitious zeal for propagating the Romiſh religion, Philip reſolved not only to invade, but to conquer England, to which his deſcent from the houſe of Lancaſter, and the donation of pope Sixtus V. gave him in his own opinion a double title.

Elizabeth ſaw the danger approach, and prepared to encounter it. The meaſures for the defence of her kingdom were concerted and carried on with the wiſdom and vigour which diſtinguiſhed her reign. Her chief care was to ſecure the friendſhip of the king of Scots. She had treated the queen his mother with a rigour unknown among princes; ſhe had often uſed himſelf harſhly, and with contempt; and though he had hitherto prudently ſuppreſſed his reſentment of theſe injuries, ſhe did not believe it to be altogether extinguiſhed, and was afraid that, in her preſent ſituation, it might burſt out with a fatal violence. Philip, ſenſible how much an alliance with Scotland would facilitate his enterpriſe, courted James with the utmoſt aſſiduity. He excited him to revenge his mother's wrongs; he flattered him with the hopes of ſharing his conqueſts; and offered him in marriage his daughter the infanta Iſabella. At the ſame time, Scotland ſwarmed with prieſts, his emiſſaries, who ſeduced ſome of the nobles to popery, and corrupted others with bribes and promiſes. Huntly, Errol, Crawford, were the heads of a faction which openly eſpouſed the intereſt of Spain. Lord Maxwell, arriving from that court, began to aſſemble his followers, and to take arms, that he might be ready to join the Spaniards. In order to counterbalance all theſe, Elizabeth made the warmeſt profeſſions of friendſhip to the king; and Aſhby, her ambaſſador, entertained him with magnificent hopes and promiſes. He aſſured him, that his right of ſucceſſion to the crown ſhould be publicly acknowledged in England; that he ſhould be created a duke in that kingdom; that he ſhould be admitted to ſome ſhare in the government; and receive a conſiderable penſion annually. James, it is probable, was too well acquainted with Eli-

zabeth's arts, to rely entirely on these promises. But he understood his own interest in the present juncture, and pursued it with much steadiness. He rejected an alliance with Spain, as dangerous. He refused to admit into his presence an ambassador from the pope. He seized colonel Semple, an agent of the prince of Parma. He drove many of the trafficking priests out of the kingdom. He marched suddenly to Dumfries, dispersed Maxwell's followers, and took him prisoner. In a convention of the nobles, he declared his resolution to adhere inviolably to the league with England; and, without listening to the suggestions of revenge, determined to act in concert with Elizabeth, against the common enemy of the protestant faith. He put the kingdom in a posture of defence, and levied troops to obstruct the landing of the Spaniards. He offered to send an army to Elizabeth's assistance, and told her ambassador, that he expected no other favour from the king of Spain, but that which Polyphemus had promised to Ulysses, that when he had devoured all his companions, he would make him his last morsel*.

The zeal of the people, on this occasion, was not inferior to that of the king; and the extraordinary danger, with which they were threatened, suggested to them an extraordinary expedient for their security. A bond was framed for the maintenance of true religion, and the defence of the king's person and government, in opposition to all enemies, foreign and domestic. This contained a confession of the protestant faith, a particular renunciation of the errors of popery, and the most solemn promises, in the name, and through the strength of God, of adhering to each other in supporting the former, and in contending against the latter, to the utmost of their power†. The king, the nobles, the clergy, and the people, subscribed it with equal alacrity. Strange or uncommon as such a combination may now appear, many circumstances contributed at that time to recommend it, and to render

* Camd. 544. Johnst. 139. Spotsw. 369.
† Dunlop's Collect. of Confess. vol. ii. 108.

the idea familiar to the Scots. When rouſed by any extraordinary event, or alarmed by any public danger, the people of Iſrael were accuſtomed to bind themſelves, by a ſolemn covenant, to adhere to that religion which the Almighty had eſtabliſhed among them; this the Scots conſidered as a ſacred precedent, which it became them to imitate. In that age, no conſiderable enterpriſe was undertaken in Scotland, without a bond of mutual defence, which all concerned reckoned neceſſary for their ſecurity. The form of this religious confederacy is plainly borrowed from thoſe political ones, of which ſo many inſtances have occurred; the articles, ſtipulations, and peculiar modes of expreſſion, are exactly the ſame in both. Almoſt all the conſiderable popiſh princes were then joined in a league for extirpating the reformed religion, and nothing could be more natural, or ſeemed more efficacious, than to enter into a counter aſſociation, in order to oppoſe the progreſs of that formidable conſpiracy. To theſe cauſes did the *Covenant*, which has become ſo famous in hiſtory, owe its origin. It was renewed at different times during the reign of James‡. It was revived with great ſolemnity, in the year one thouſand ſix hundred and thirty-eight. It was adopted by the Engliſh, in the year one thouſand ſix hundred and forty-three, and enforced by the civil and eccleſiaſtical authority of both kingdoms. The political purpoſes to which it was then made ſubſervient, and the violent and unconſtitutional meaſures which it was then employed to promote, it is not our province to explain. But at the juncture in which it was firſt introduced, we may pronounce it to have been a prudent and laudable device for the defence of the religion and liberties of the nation; nor were the terms in which it was conceived, other than might have been expected from men alarmed with the impending danger of popery, and threatened with an invaſion by the moſt bigotted and moſt powerful prince in Europe.

‡ Cald. v. 129.

Philip's eagerness to conquer England did not inspire him either with the vigour or despatch necessary to ensure the success of so mighty an enterprise. His fleet, which ought to have sailed in April, did not enter the English channel till the middle of July. It hovered many days on the coast, in expectation of being joined by the prince of Parma, who was blocked up in the ports of Flanders by a Dutch squadron. Continual disasters pursued the Spaniards during that time; successive storms and battles, which are well known, conspired with their own ill conduct to disappoint their enterprise. And, by the blessing of Providence, which watched with remarkable care over the protestant religion and the liberties of Britain, the English valour scattered and destroyed the armada, on which they had arrogantly bestowed the name of invincible. After being driven out of the English seas they were forced to steer their course toward Spain, round Scotland and Ireland. Many of them suffered shipwreck on these dangerous and unknown coasts. Though James kept his subjects under arms, to watch the motions of the Spaniards, and to prevent their landing in an hostile manner, he received seven hundred who were forced ashore by a tempest, and after supplying them with necessaries, permitted them to return into their own country.

On the retreat of the Spaniards, Elizabeth sent an ambassador to congratulate with James, and to compliment him on the firmness and generosity he had discovered during a conjuncture so dangerous. But none of Ashby's promises were any longer remembered; that minister was even accused of having exceeded his powers, by these too liberal offers; and conscious of his own falsehood, or ashamed of being disowned by his court, he withdrew secretly out of Scotland*.

Philip, convinced by fatal experience of his own rashness in attempting the conquest of England, by a naval armament, equipped at so great a distance,

* Johnst. 134. Camd. 548.

and ſubjected, in all its operations, to the delays, and dangers, and uncertainties, ariſing from ſeas and winds, reſolved to make his attack in another form, and to adopt the plan which the princes of Lorrain had long meditated, of invading England through Scotland. A body of his troops, he imagined, might be eaſily wafted over from the Low Countries to that kingdom, and if they could once obtain footing, or procure aſſiſtance there, the frontier of England was open and defenceleſs, and the northern counties full of Roman catholics, who would receive them with open arms. Mean while, a deſcent might be threatened on the ſouthern coaſt, which would divide the Engliſh army, diſtract their councils, and throw the whole kingdom into terrible convulſions. In order to prepare the way for the execution of this deſign, he remitted a conſiderable ſum of money to Bruce, a ſeminary prieſt in Scotland, and employed him, together with Hay, Creighton, and Tyrie, Scottiſh jeſuits, to gain over as many perſons of diſtinction as poſſible to his intereſt. Zeal for popery, and the artful inſinuations of theſe emiſſaries, induced ſeveral of the nobles to favour a meaſure which tended ſo manifeſtly to the deſtruction of their country. Huntly, though the king had lately married him to the daughter of his favourite, the duke of Lennox, continued warmly attached to the Romiſh church. Crawford and Errol were animated with the zeal of new converts. They all engaged in a correſpondence with the prince of Parma, and, in their letters to him, offered their ſervice to the king of Spain, and undertook, with the aid of 6000 men, to render him maſter of Scotland, and to bring ſo many of their vaſſals into the field, that he ſhould be able to enter England with a numerous army. Francis Stewart, grandſon of James V. whom the king had created earl of Bothwell, tho' influenced by no motive of religion, for he ſtill adhered to the proteſtant faith, was prompted merely by caprice, and the reſtleſſneſs of his nature, to join in this treaſonable correſpondence.

All theſe letters were intercepted in England. Elizabeth, alarmed at the danger which threatened her

own kingdom, sent them immediately to the king, and, reproaching him with his former lenity towards the popish party, called upon him to check this formidable conspiracy by a proper severity. But James, though firmly attached to the protestant religion, though profoundly versed in the theological controversies between the reformers and the church of Rome, though he had employed himself at that early period of life, in writing a commentary on the Revelation, in which he proved the pope to be antichrist, had nevertheless adopted already those maxims concerning the treatment of the Roman catholics, to which he adhered through the rest of his life. The Roman catholics were at that time a powerful and active party in England; they were far from being an inconsiderable faction in his own kingdom. The pope and king of Spain were ready to take part in all their machinations, and to second every effort of their bigotry. The opposition of such a body to his succession to the crown of England, added to the averseness of the English from the government of strangers, might create him many difficulties. In order to avoid these, he thought it necessary to sooth rather than to irritate the Roman catholics, and to reconcile them to his succession, by the hopes of gentler treatment, and some mitigation of the rigour of those laws, which were now in force against them. This attempt to gain one party by promises of indulgence and acts of clemency, while he adhered with all the obstinacy of a disputant to the doctrines and tenets of the other, has given an air of mystery, and even of contradiction, to this part of the king's character. The papists, with the credulity of a sect struggling to obtain power, believed his heart to be wholly theirs; and the protestants, with the jealousy inseparable from those who are already in possession, viewed every act of lenity as a mark of indifference, or a symptom of apostacy. And in order to please both, James often aimed at an excessive refinement, mingled with dissimulation, in which he imagined the perfection of government and of kingcraft to consist.

His behaviour on this occasion was agreeable to these

general maxims. Notwithstanding the folicitations of the queen of England, enforced by the jealous remonftrances of his own clergy, a fhort imprifonment was the only punifhment he inflicted on Huntly and his affociates. But he foon had reafon to repent an act of clemency fo inconfiftent with the dignity of government. The firft ufe which the confpirators made of their liberty, was to affemble their followers, and, under pretence of removing chancellor Maitland, an able minifter, but warmly devoted to the Englifh intereft, from the king's councils and prefence, they attempted to feize James himfelf. This attempt being defeated, partly by Maitland's vigilance, and partly by their own ill conduct, they were forced to retire to the north, where they openly erected the ftandard of rebellion. But as the king's government was not generally unpopular, or his minifters odious, their own vaffals joined them flowly, and difcovered no zeal in the caufe. The king, in perfon, advancing againft them with fuch forces as he could fuddenly levy, they durft not rely fo much on the fidelity of their troops, which, though fuperior in number, followed them with reluctance, as to hazard a battle; but fuffering them to difperfe, they furrendered to the king, and threw themfelves on his mercy. Huntly, Errol, Crawford, and Bothwell, were all brought to a public trial. Repeated acts of treafon were eafily proved againft them. The king, however, did not permit any fentence to be pronounced; and, after keeping them a few months in confinement, he took occafion, amidft the public feftivity and rejoicings at the approach of his marriage, to fet them at liberty *.

As James was the only defcendent of the ancient monarchs of Scotland in the direct line; as all hopes of uniting the crowns of the two kingdoms would have expired with him; as the earl of Arran, the prefumptive heir to the throne, was lunatic; the king's marriage was, on all thefe accounts, an event which the nation defired with the utmoft ardour. He himfelf

* Spotfw. 373. Cald. iv. 103—130.

was no less desirous of accomplishing it; and had made overtures for that purpose to the eldest daughter of Frederick II. king of Denmark. But Elizabeth, jealous of every thing that would render the accession of the house of Stewart more acceptable to the English, endeavoured to perplex James in the same manner she had done Mary; and employed as many artifices to defeat or to retard his marriage. His ministers, gained by bribes and promises, seconded her intentions; and though several different ambassadors were sent from Scotland to Denmark, they produced powers so limited, or insisted on conditions so extravagant, that Frederick could not believe the king to be in earnest; and suspecting that there was some design to deceive or amuse him, gave his daughter in marriage to the duke of Brunswick. Not discouraged by this disappointment, which he imputed entirely to the conduct of his own ministers, James made his addresses to the princess Anne, Frederick's second daughter. And though Elizabeth endeavoured to divert him from this, by recommending Catharine, the king of Navarre's sister, as a more advantageous match; though she prevailed on the privy-council of Scotland to declare against the alliance with Denmark, he persisted in his choice; and despairing of overcoming the obstinacy of his own ministers in any other manner, he secretly encouraged the citizens of Edinburgh to take arms. They threatened to tear in pieces the chancellor, whom they accused as the person whose artifices had hitherto disappointed the wishes of the king, and the expectations of his people. In consequence of this, the earl Marishal was sent into Denmark at the head of a splendid embassy. He received ample powers and instructions, drawn with the king's own hand. The marriage articles were quickly agreed upon, and the young queen set sail towards Scotland. James made great preparations for her reception, and waited her landing with all the impatience of a lover; when the unwelcome account arrived, that a violent tempest had arisen, which drove back her fleet to Norway, in a condition so shattered, that there was little hope of its putting again to sea before the spring.

This unexpected disappointment he felt with the utmost sensibility. He instantly fitted out some ships, and without communicating his intention to any of his council, sailed in person, attended by the chancellor, several noblemen, and a train of three hundred persons, in quest of his bride. He arrived safely in a small harbour not far distant from Upslo, where the queen then resided. There the marriage was solemnized; and as it would have been rash to trust those boisterous seas in the winter season, James accepted the invitation of the court of Denmark, and repairing to Copenhagen, passed several months there, amidst continual feasting and amusements, in which both the queen and himself had great delight.*.

No event in the king's life appears to be a wider deviation from his general character, than this sudden sally. His son Charles I. was capable of that excessive admiration of the other sex, which arises from great sensibility of heart, heightened by elegance of taste; and the romantic air of his journey to Spain suited such a disposition. But James was not susceptible of any refined gallantry, and always expressed that contempt for the female character, which a pedantic erudition, unacquainted with politeness, is apt to inspire. He was fretted, however, at the many obstacles which had been laid in his way. He was anxious to secure the political advantages which he expected from marriage; and fearing that a delay might afford Elizabeth and his own ministers an opportunity of thwarting him by new intrigues, he suddenly took the resolution of preventing them, by a voyage from which he expected to return in a few weeks. The nation seemed to applaud his conduct, and to be pleased with this appearance of amorous ardour in a young prince. Notwithstanding his absence so long beyond the time he expected, the nobles, the clergy, and the people, vied with one another in loyalty and obedience and no period in the king's reign was more remarkable for tranquillity, or more free from any eruption of those factions which so often disturbed the kingdom.

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* Melvil, 372. Spotsw. 377. Murdin, 637.

THE

HISTORY

OF

SCOTLAND.

BOOK EIGHTH.

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ON the firſt of May 1590, the king and queen arrived at Leith, and were received by their ſubjects with every

poſſible expreſſion of joy. The ſolemnity of the queen's coronation was conducted with great magnificence; but ſo low had the order of biſhops fallen in the opinion of the public, that none of them were preſent on that occaſion, and Mr. Robert Bruce, a preſbyterian miniſter of great reputation, ſet the crown on her head, adminiſtered the ſacred unction, and performed the other cuſtomary ceremonies.

The zeal and ſucceſs with which many of the clergy had contributed towards preſerving peace and order in the kingdom, during his abſence, reconciled James, in a great degree, to their perſons, and even to the preſbyterian form of government. In preſence of an aſſembly, which met this year, he made high encomiums on the diſcipline as well as the doctrine of the church, promiſed to adhere inviolably to both, and permitted the aſſembly to frame ſuch acts as gradually aboliſhed all the remains of epiſcopal juriſdiction, and paved the way for a full and legal eſtabliſhment of the preſbyterian model†.

An event happened ſoon after, which afforded the clergy no ſmall triumph. Archbiſhop Adamſon, their ancient enemy, having fallen under the king's diſpleaſure, having been deprived of the revenues of his ſee in conſequence of the act of annexation, and being oppreſſed with age, with poverty, and diſeaſe, made the meaneſt ſubmiſſion to the clergy, and delivered to the aſſembly a formal recantation of all his opinions concerning church government, which had been matter of offence. Such a confeſſion, from the moſt learned perſon of the order, was conſidered as a teſtimony which the force of truth had extorted from an adverſary*.

Mean while, the king's exceſſive clemency towards offenders multiplied crimes of all kinds, and encouraged ſuch acts of violence, as brought his government under contempt, and proved fatal to many of his ſubjects. The hiſtory of ſeveral years, about this time, is filled with accounts of the deadly quarrels between the great

† Cald. iv. 204. * Spotſw. 385. Cald. iv. 214.

families, and of murders and aſſaſſinations perpetrated in the moſt audacious manner, and with circumſtances of the utmoſt barbarity. All the defects in the feudal ariſtocracy were now felt more ſenſibly than at any other period in the hiſtory of Scotland, and univerſal licence and anarchy prevailed to a degree ſcarce conſiſtent with the preſervation of ſociety: while the king, too gentle to puniſh, or too feeble to act with vigour, ſuffered all theſe enormities to paſs with impunity.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engroſſed his attention, and thoſe ſuſpected of it felt the whole weight of his authority. Many perſons, neither extremely old nor wretchedly poor, which were uſually held to be certain indications of this crime, but maſters of families, and matrons of a decent rank, and in the middle age of life, were ſeized and tortured; and though their confeſſions contained the moſt abſurd and incredible circumſtances, the king's prejudices, thoſe of the clergy and of the people, conſpired in believing their extravagancies without heſitation, and in puniſhing their perſons without mercy. Some of theſe unhappy ſufferers accuſed Bothwell of having conſulted them, in order to know the time of the king's death, and of having employed their art, to raiſe the ſtorms which had endangered the queen's life, and had detained James ſo long in Denmark. Upon this evidence that nobleman was committed to priſon. His turbulent and haughty ſpirit could neither ſubmit to the reſtraint, nor brook ſuch an indignity. Having gained his keepers, he made his eſcape, and imputing the accuſation to the artifices of his enemy, the chancellor, aſſembled his followers, under pretence of driving him from the king's councils. Being favoured by ſome of the king's attendants, he was admitted by a ſecret paſſage under cloud of night into the court of the palace of Holyrood-houſe. He advanced directly towards the royal apartment, but happily before he entered, the alarm was taken, and the doors ſhut. While he attempted to burſt open ſome of them, and to ſet fire to others, the citizens of Edinburgh had time to run to their arms, and he eſcaped with the utmoſt difficulty; owing

his safety to the darkness of the night, and the precipitancy with which he fled‡.

He retired towards the north, and the king having unadvisedly given a commission to the earl of Huntly to pursue him and his followers with fire and sword, he, under colour of executing that commission, gratified his private revenge, and surrounded the house of the earl of Murray, burnt it to the ground, and slew Murray himself. The murder of a young nobleman of such promising virtues, and the heir of the regent Murray, the darling of the people, excited universal indignation. The citizens of Edinburgh rose in a tumultuous manner; and though they were restrained, by the care of the magistrates, from any act of violence, they threw aside all respect for the king and his ministers, and openly insulted and threatened both. While this mutinous spirit continued, James thought it prudent to withdraw from the city, and fixed his residence for some time at Glasgow. There Huntly surrendered himself to justice; and, notwithstanding the atrociousness of his crime, and the clamours of the people, the power of the chancellor, with whom he was now closely confederated, and the king's regard for the memory of the duke of Lennox, whose daughter he had married, not only protected him from the sentence which such an odious action merited, but exempted him even from the formality of a public trial†.

A step of much importance was taken soon after with regard to the government of the church. The clergy had long complained of the encroachments made upon their privileges and jurisdiction by the acts of the parliament one thousand five hundred and eighty-four, and though these laws had now lost much of their force, they resolved to petition the parliament, which was approaching, to repeal them in form. The juncture for pushing such a measure was well chosen. The king had lost much of the public favour, by his lenity towards the popish faction, and still more by his re-

‡ Melv. 388. Spotsw. 386. † Spotsw. 587.

missness in pursuing the murderers of the earl of Murray. The chancellor had not only a powerful party of the courtiers combined against him, but was become odious to the people, who imputed to him every false step in the king's conduct. Bothwell still lurked in the kingdom, and being secretly supported by all the enemies of Maitland's administration, was ready every moment to renew his audacious enterprises. James, for all these reasons, was extremely willing to indulge the clergy in their request, and not only consented to a law, whereby the acts of one thousand five hundred and eighty-four were rescinded or explained, but he carried his complaisance still further, and permitted the parliament to establish the presbyterian government, its general assemblies, provincial synods, presbyteries, and kirk sessions, with all the different branches of their discipline and jurisdiction, in the most ample manner. All the zeal and authority of the clergy, even under the administration of regents, from whom they might have expected the most partial favour, could not obtain the sanction of law, in confirmation of their mode of ecclesiastical government. No prince was ever less disposed than James to approve a system, whose republican genius inspired a passion for liberty, so repugnant to his exalted notions of royal prerogative. Nor could any aversion be more inveterate than his, to the austere and uncomplying character of the presbyterian clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and censured his conduct, with a freedom equally offensive to his dogmatism as a theologian, and to his pride as a king. His situation, however, obliged him frequently to conceal, or to dissemble, his sentiments; and as he often disgusted his subjects, by indulging the popish faction more than they approved, he endeavoured to atone for this by concessions to the presbyterian clergy, more liberal than he himself would otherwise have chosen *.

In this parliament, Bothwell and all his adherents were attainted. But he soon made a new attempt to

* Cald. iv. 248, 252. Spotsw. 388.

feize the king at Falkland; and James, betrayed by fome of his courtiers, and feebly defended by others, who wifhed well to Bothwell, as the chancellor's avowed enemy, owed his fafety to the fidelity and vigilance of fir Robert Melvil, and to the irrefolution of Bothwell's affociates †.

This danger was fcarce well over, when the nation was alarmed with the difcovery of a new and more formidable confpiracy. George Ker, the lord Newbattle's brother, being feized as he was ready to fet fail for Spain, many fufpicious papers were found in his cuftody, and among thefe, feveral blanks figned by the earls of Angus, Huntly, and Errol. By this extraordinary precaution they hoped to efcape any danger of difcovery. But Ker's refolution fhrinking when torture was threatened, he confeffed that he was employed by thefe noblemen to carry on a negotiation with the king of Spain; that the blanks fubfcribed with their names were to be filled up by Crichton and Tyrie; that they were inftructed to offer the faithful fervice of the three earls to that monarch; and to folicit him to land a body of his troops, either in Galloway, or at the mouth of the Clyde, with which they undertook, in the firft place, to eftablifh the Roman catholic religion in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accufed of being privy to the confpiracy, were taken into cuftody, and confirmed all the circumftances of his confeffion *.

The nation having been for fome time in continual terror and agitation by fo many fucceffive confpiracies, the difcovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themfelves called upon to ftand forth in defence of their country. The minifters of Edinburgh without waiting for any warrant from the king, who happened at that time, to be abfent from the capital, and without having received any legal com-

† Melv. 402. * Rymer, xvi. 190.

miffion, affembled a confiderable number of peers and barons, in order to provide an inftant remedy againft the impending danger. They feized the earl of Angus, and committed him to the caftle; they examined Ker; and prepared a remonftrance to be laid before the king, concerning the ftate of the nation, and the neceffity of profecuting the confpirators with becoming vigour. James though jealous of every encroachment on his prerogative, and offended with fubjects who, inftead of petitioning, feemed to prefcribe to him, found it neceffary, during the violence of the ferment, not only to adopt their plan, but even to declare that no confideration fhould ever induce him to pardon thofe who had been guilty of fo odious a treafon. He fummoned the earls of Huntly and Errol to furrender themfelves to juftice. Graham of Fintry, whom his peers pronounced to be guilty of treafon, he commanded to be publicly beheaded; and marching into the north at the head of an army, the two earls, together with Angus, who had efcaped out of prifon, retired to the mountains. He placed garrifons in the caftles which belonged to them; compelled their vaffals, and the barons in the adjacent countries, to fubfcribe a bond containing profeffions of their loyalty towards him, and of their firm adherence to the proteftant faith; and the better to fecure the tranquillity of that part of the kingdom, conftituted the earls of Athol and Marifhal his lieutenants there†.

Having finifhed this expedition, James returned to Edinburgh, where he found lord Borough, an extraordinary ambaffador from the court of England. Elizabeth, alarmed at the difcovery of a confpiracy which fhe confidered as no lefs formidable to her own kingdom than to Scotland, reproached James with his former remiffnefs, and urged him as he regarded the prefervation of the proteftant religion, or the dignity of his own crown, to punifh this repeated treafon with rigour; and if he could not apprehend the perfons, at leaft to confifcate the eftates, of fuch audacious rebels.

† Spotfw. 391. Cald. v. 291.

She weakened, however, the force of these requests, by interceding at the same time in behalf of Bothwell, whom, according to her usual policy in nourishing a factious spirit among the Scottish nobles, she had taken under her protection. James absolutely refused to listen to any intercession in favour of one who had so often, and with so much outrage, insulted both his government and his person. With regard to the popish conspirators, he declared his resolution to prosecute them with vigour; but that he might be the better able to do so, he demanded a small sum of money from Elizabeth, which she, distrustful perhaps of the manner in which he might apply it, shewed no inclination to grant. The zeal, however, and importunity of his own subjects obliged him to call a parliament, in order to pass an act of attainder against the three earls. But before it met, Ker made his escape out of prison, and, on pretence that legal evidence of their guilt, could not be produced, nothing was concluded against them. The king himself was universally suspected of having contrived this artifice, on purpose to elude the requests of the queen of England, and to disappoint the wishes of his own people; and, therefore, in order to soothe the clergy, who exclaimed loudly against his conduct, he gave way to the passing of an act, which ordained those who obstinately condemned the censures of the church to be declared outlaws *.

While the terror excited by the popish conspiracy possessed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of one was the chancellor, in whom the king reposed entire confidence. For that very reason, perhaps, he had fallen early under the queen's displeasure. The duke of Lennox, the earl of Athol, lord Ochiltree, and all the name of Stewart, espoused her quarrel, and widened the breach. James, fond no less of domestic tranquillity than of public peace, advised his favourite to retire, for some time, in hopes that the queen's resentment would subside. But

* Cald. iv. 343. Spotsw. 393. Parl. 13. Jac. VI. c. 164.

as he stood in need, in the present juncture, of the assistance of an able minister, he had recalled him to court. In order to prevent him from recovering his former power, the Stewarts had recourse to an expedient no less illegal than desperate. Having combined with Bothwell, who was of the same surname, they brought him back secretly into Scotland; and seizing the gates of the palace, introduced him into the royal apartment with a numerous train of armed followers. James, though deserted by all his courtiers, and incapable of resistance, discovered more indignation than fear, and reproaching them for their treachery, called on the earl to finish his treasons, by piercing his sovereign to the heart. But Bothwell fell on his knees, and implored pardon. The king was not in a condition to refuse his demands. And a few days after, he signed a capitulation with this successful traitor, to whom he was really a prisoner, whereby he bound himself to grant a remission for all past offences, and to procure the ratification of it in parliament; and in the mean time to dismiss the chancellor, the master of Glamis, lord Home, and sir George Home, from his councils and presence. Bothwell, on his part, consented to remove from court, though he left there as many of his associates as he thought sufficient to prevent the return of the adverse faction.

But it was now no easy matter to keep the king under the same kind of bondage, to which he had been often subject during his minority. He discovered so much impatience to shake off his fetters, that those who imposed, durst not continue the restraint. They permitted him to call a convention of the nobles at Stirling, and to repair thither himself. All Bothwell's enemies, and all who were desirous of gaining the king's favour by appearing to be so, obeyed the summons. They pronounced the insult offered to the king's person and authority to be high treason, and declared him absolved from any obligation to observe conditions extorted by force, and which violated so essentially his royal prerogative. James, however, still proffered him a pardon, provided he would sue for it as an act of mercy, and

promife to retire out of the kingdom. These conditions Bothwell rejected with difdain, and betaking himfelf once more to arms, attempted to furprife the king; but finding him on his guard, fled to the borders.

The king's ardour againft Bothwell, compared with his flow and evafive proceedings againft the popifh lords, occafioned a general difguft among his fubjects; and was imputed either to an exceffive attachment to the perfons of thofe confpirators, or to a fecret partiality towards their opinions; both which gave rife to no unreafonable fears. The clergy, as the immediate guardians of the proteftant religion, thought themfelves bound, in fuch a juncture, to take extraordinary fteps for its prefervation. And the provincial fynod of Fife happening to meet at that time, a motion was made to excommunicate all concerned in the late confpiracy, as obftinate and irreclaimable papifts; and though none of the confpirators refided within the bounds of the fynod, or were fubject to its jurifdiction, fuch was the zeal of the members, that, overlooking this irregularity, they pronounced the fentence of excommunication, to which the act of laft parliament added new terrors. Left this fhould be imputed to a few men, and accounted the act of a fmall part of the church, deputies were appointed to attend the adjacent fynods, and to defire their approbation and concurrence.

An event happened a few weeks after which increafed the people's fufpicions of the king. As he was marching on an expedition againft the borderers, the three popifh earls coming fuddenly into his prefence, offered to fubmit themfelves to a legal trial; and James, without committing them to cuftody, appointed a day for that purpofe. The confpirators prepared to appear with a formidable train of their friends and vaffals. But in the mean time the clergy, together with many peers and barons, affembling at Edinburgh, remonftrated againft the king's extreme indulgence with great boldnefs, and demanded of him, according to the regular courfe of juftice, to commit to fure cuftody perfons charged with the higheft acts of treafon, who could not be brought to a legal trial, until they were

absolved from the censures of the church; and to call a convention of estates, to deliberate concerning the method of proceeding against them. At the same time they offered to accompany him in arms to the place of trial, lest such audacious and powerful criminals should overawe justice, and dictate to the judges to whom they pretended to submit. James, though extremely offended, both with the irregularity of their proceedings, and the presumption of their demands, found it expedient to put off the day of trial, and to call a convention of estates, in order to quiet the fears and jealousies of the people. By being humoured in this point, their suspicions began gradually to abate, and the chancellor managed the convention so artfully, that he himself, together with a few other members, was impowered to pronounce a final sentence upon the conspirators. After much deliberation they ordained, that the three earls and their associates should be exempted from all further inquiry or prosecution, on account of their correspondence with Spain; that, before the first day of February, they should either submit to the church, and publicly renounce the errors of popery, or remove out of the kingdom; that, before the first of January, they should declare which of these alternatives they would embrace; that they should find surety for their peaceable demeanour for the future; and that if they failed to signify their choice in due time, they should lose the benefit of this act of *abolition*, and remain exposed to all the pains of law.

By this lenity towards the conspirators, James incurred much reproach, and gained no advantage. Devoted to the popish superstition, submissive to all the dictates of their priests, and buoyed up with hopes and promises of foreign aid, the three earls refused to accept of the conditions, and continued their treasonable correspondence with the court of Spain. A convention of estates pronounced them to have forfeited the benefit of the articles which were offered; and the king required them, by proclamation, to surrender themselves to justice. The presence of the English ambassador contributed, perhaps, to the vigour of these

proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to punish the popish lords to a secret approbation of their designs, had sent lord Zouche to represent, once more, the danger to which he exposed himself, by this false moderation; and to require him to exercise that rigour which their crimes, as well as the posture of affairs, rendered necessary. And though the steps now taken by the king silenced all complaints on that head, yet Zouche, forgetful of his character as an ambassador, entered into private negotiations with such of the Scottish nobles as disapproved of the king's measures, and held almost an open correspondence with Bothwell, who, according to the usual artifice of malecontents, pretended much solicitude for reforming the disorders of the commonwealth; and covered his own ambition with the specious veil of zeal against those counsellors who restrained the king from pursuing the avowed enemies of the protestant faith. Zouche encouraged him, in the name of his mistress, to take arms against his sovereign.

Mean while, the king and clergy were filled with mutual distrust of each other. They were jealous, perhaps, to excess, that his affections leaned too much towards the popish faction; he suspected them, without good reason, of prompting Bothwell to rebellion, and even of supplying him with money for that purpose. Little instigation, indeed, was wanting to rouse such a turbulent spirit as Bothwell's to any daring enterprise. He appeared suddenly within a mile of Edinburgh, at the head of four hundred horse. The pretences, by which he endeavoured to justify this insurrection, were extremely popular; zeal for religion, enmity to popery, concern for the king's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accompanied only with a few horsemen of lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and, in order to encourage them to act with zeal, he promised to proceed against the popish lords with the utmost rigour of law. Animated by their ministers, they ran cheer-

fully to their arms, and advanced, with the king at their head, againſt Bothwell; but he, notwithſtanding his ſucceſs in putting to flight lord Home, who had raſhly charged him with a far inferior number of cavalry, retired to Dalkeith without daring to attack the king. His followers abandoned him ſoon after, and diſcouraged by ſo many ſucceſſive diſappointments, could never afterwards be brought to venture into the field. He betook himſelf to his uſual lurking-places in the north of England; but Elizabeth, in compliance with the king's remonſtrances obliged him to quit that retreat *.

No ſooner was the king delivered from one danger, than he was called to attend to another. The popiſh lords, in conſequence of their negotiations with Spain, received in the ſpring a ſupply of money from Philip. What bold deſigns this might inſpire, it was no eaſy matter to conjecture. From men under the dominion of bigotry, and whom indulgence could not reclaim, the moſt deſperate actions were to be dreaded. The aſſembly of the church immediately took the alarm; remonſtrated againſt them with more bitterneſs than ever; and unanimouſly ratified the ſentence of excommunication pronounced by the ſynod of Fife. James himſelf, provoked by their obſtinacy and ingratitude, and afraid that his long forbearance would not only be generally diſpleaſing to his own ſubjects, but give riſe to unfavourable ſuſpicions among the Engliſh, exerted himſelf with unuſual vigour. He called a parliament; laid before it all the circumſtances and aggravations of the conſpiracy; and though there were but few members preſent, and ſeveral of theſe connected with the conſpirators by blood or friendſhip, he prevailed on them, by his influence and importunity, to pronounce the moſt rigorous ſentence which the law can inflict. They were declared to be guilty of high treaſon, and their eſtates and honours forfeited. At the ſame time, ſtatutes, more ſevere than ever, were enacted againſt the profeſſors of the popiſh religion.

* Spotſw. 403. Cald. iv. 359.

How to put this sentence in execution, was a matter of great difficulty. Three powerful barons, cantoned in a part of the country of difficult accefs, furrounded with numerous vaffals, and fupported by aid from a foreign prince, were more than an overmatch for a Scottifh monarch. No intreaty could prevail on Elizabeth to advance the money neceffary for defraying the expences of an expedition againft them. To attack them in perfon, with his own forces alone, might have expofed James both to difgrace and to danger. He had recourfe to the only expedient which remained in fuch a fituation, for aiding the impotence of fovereign authority; he delegated his authority to the earl of Argyll and lord Forbes, the leaders of two clans at enmity with the confpirators; and gave them a commiffion to invade their lands, and to feize the caftles which belonged to them. Bothwell, notwithftanding all his high pretenfions of zeal for the proteftant religion, having now entered into a clofe confederacy with them, the danger became every day more urgent. Argyll, folicited by the king, and roufed by the clergy, took the field at the head of feven thoufand men. Huntly and Errol met him at Glenlivat, with an army far inferior in number, but compofed chiefly of gentlemen of the low countries, mounted on horfeback, and who brought along with them a confiderable train of field-pieces. They encountered each other with all the fury which hereditary enmity and ancient rivalfhip add to undifciplined courage. But the Highlanders, difconcerted by the firft difcharge of the cannon, to which they were little accuftomed, and unable to refift the impreffion of cavalry, were foon put to flight; and Argyll, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their difgrace, and calling on them to ftand, and to vindicate the honour of their name *.

On the firft intelligence of this defeat, James, though obliged to pawn his jewels in order to raife money †,

* Cald. iv. 158. † Birch, Mem. i. 186.

affembled a fmall body of troops, and marched towards the north. He was joined by the Irvines, Keiths, Leflys, Forbefes, and other clans at enmity with Huntly and Errol, who having loft feveral of their principal followers at Glenlivat, and others refufing to bear arms againft the king in perfon, were obliged to retire to the mountains. James wafted their lands; put garrifons in fome of their caftles; burnt others, and left the duke of Lennox as his lieutenant in that part of the kingdom, with a body of men fufficient to reftrain them from gathering to any head there, or from infefting the low country. Reduced at laft to extreme diftrefs, by the rigour of the feafon, and the defertion of their followers, they obtained the king's permiffion to go beyond feas, and gave fecurity that they fhould neither return without his licence, nor engage in any new intrigues againft the proteftant religion, or the peace of the kingdom *.

By their exile, tranquillity was re-eftablifhed in the north of Scotland; and the firmnefs and vigour which James had difplayed in his laft proceedings againft them, regained him, in a great degree, the confidence of his proteftant fubjects. But he funk, in the fame proportion, and for the fame reafon, in the efteem of the Roman catholics. They had afferted his mother's right to the crown of England with fo much warmth, that they could not, with any decency, reject his; and the indulgence, with which he affected to treat the profeffors of that religion, infpired them with fuch hopes, that they viewed his acceffion to the throne as no undefirable event. But the rigour with which the king had lately purfued the confpirators, and the fevere ftatutes againft popery, to which he had given his confent, convinced them that thefe hopes were vifionary; and they began to look about in queft of fome new fucceffor, whofe rights they might oppofe to his. The Englifh papifts turned their eyes towards the earl of Effex, whofe generous mind, though firmly eftablifhed in the proteftant faith, abhorred the feverities inflicted in that

* Spotfw. 404. Cald. 373, &c.

age on account of religious opinions.* Those of the same sect, who were in exile, formed a bolder scheme, and one more suitable to their situation. They advanced the claim of the infanta of Spain; and Parsons the jesuit published a book, in which, by false quotations from history, by fabulous genealogies, and absurd arguments, intermingled with bitter invectives against the king of Scots, he endeavoured to prove the infanta's title to the English crown to be preferable to his. Philip, though involved already in a war both with France and England, and scarce able to defend the remains of the Burgundian provinces against the Dutch commonwealth, eagerly grasped at this airy project. The dread of a Spanish pretender to the crown, and the opposition which the papists began to form against the king's succession, contributed not a little to remove the prejudices of the protestants, and to prepare the way for that event.

Bothwell, whose name has been so often mentioned as the disturber of the king's tranquillity, and of the peace of the kingdom, was now in a wretched condition. Abandoned by the queen of England, on account of his confederacy with the popish lords; excommunicated by the church for the same reason; and deserted in his distress by his own followers; he was obliged to fly for safety to France, and thence to Spain and Italy, where, after renouncing the protestant faith, he led many years an obscure and indigent life, remarkable only for a low and infamous debauchery. The king though extremely ready to sacrifice the strongest resentment to the slightest acknowledgements, could never be softened by his submission, nor be induced to listen to any intercession in his behalf †.

This year the king lost chancellor Maitland, an able minister, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote, in honour of his memory, a copy of

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* Winw. Mem. i. † Spotsw. 410.

verses, which, when compared with the compositions of that age, are far from being inelegant.

Soon after his death, a considerable change was made in the administration. At that time, the annual charges of government far exceeded the king's revenues. The queen was fond of expensive amusements. James himself was a stranger to economy. It became necessary, for all these reasons, to levy the public revenues with greater order and rigour, and to husband them with more care. This important trust was committed to eight gentlemen of the law‡, who, from their number were called *Octavians*. The powers vested in them were ample, and almost unlimited. The king bound himself neither to add to their number, nor to supply any vacancy that might happen, without their consent: and knowing the facility of his own temper, agreed that no alienation of his revenue, no grant of a pension, or order on the treasury, should be held valid, unless it were ratified by the subscription of five of the commissioners; all their acts and decisions were declared to be of equal force with the sentence of judges in civil courts; and in consequence of them, and without any other warrant, any person might be arrested, or their goods seized. Such extensive jurisdiction, together with the absolute disposal of the public money, drew the whole executive part of the government into their hands. United among themselves, they gradually undermined the rest of the king's ministers, and seized on every lucrative or honourable office. The ancient servants of the crown repined at being obliged to quit their stations to new men. The favourites and young courtiers murmured at seeing the king's liberality stinted by their prescriptions. And the clergy exclaimed against some of them as known apostates to popery, and suspected others of secretly

‡ Alexander Seaton president of the session, Walter Stewart commendator of Blantyre lord privy seal, David Carnegy, John Lindsay, James Elphingston, Thomas Hamilton, John Skene clerk register, and Peter Young eleemosynar.

favouring it. They retained their power, however, notwithstanding this general combination against them; and they owed it entirely to the order and economy which they introduced into the administration of the finances, by which the necessary expences of government were more easily defrayed than in any other period of the king's reign *.

The rumour of vast preparations which Philip was said to be carrying on at this time, filled both England and Scotland with the dread of a new invasion. James took proper measures for the defence of his kingdom. But these did not satisfy the zeal of the clergy, whose suspicions of the king's sincerity began to revive; and as he had permitted the wives of the banished peers to levy the rents of their estates, and to live in their houses, they charged him with rendering the act of forfeiture ineffectual, by supporting the avowed enemies of the protestant faith. The assembly of the church took under consideration the state of the kingdom, and having appointed a day of public fasting, they solemnly renewed the covenant, by which the nation was bound to adhere to the protestant faith, and to defend it against all aggressors. A committee, consisting of the most eminent clergymen, and of many barons and gentlemen of distinction, waited on the king, and laid before him a plan for the security of the kingdom, and the preservation of religion. They urged him to appropriate the estates of the banished lords as a fund for the maintenance of soldiers; to take the strictest precautions for preventing the return of such turbulent subjects into the country; and to pursue all who were suspected of being their adherents with the utmost rigour.

Nothing could be more repugnant to the king's schemes, or more disagreeable to his inclination, than these propositions. Averse, through his whole life, to any course where he expected opposition or danger; and fond of attaining his ends with the character of

* Spotsw. 413; 435.

moderation, and by the arts of policy, he observed with concern the prejudices against him which were growing among the Roman catholics, and resolved to make some atonement for that part of his conduct which had drawn on him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any popish competitor should arise to dispute his right of succession, a faction so powerful as that of the banished lords might be extremely formidable; and any division among his own subjects might prove fatal at a juncture which would require their united and most vigorous efforts. Instead, therefore, of the additional severities which the assembly proposed, James had thoughts of mitigating the punishment which they already suffered. And as they were surrounded, during their residence in foreign parts, by Philip's emissaries; as resentment might dispose them to listen more favourably than ever to their suggestions; as despair might drive them to still more atrocious actions; he resolved to recal them, under certain conditions, into their native country. Encouraged by these sentiments of the king in their favour, of which they did not want intelligence, and wearied already of the dependent and anxious life of exiles, they ventured to return secretly into Scotland. Soon after, they presented a petition to the king, begging his permission to reside at their own houses, and offering to give security for their peaceable and dutiful behaviour. James called a convention of estates to deliberate on a matter of such importance, and by their advice he granted the petition.

So soon as they were informed of this, the members of a committee, appointed by the last assembly, met at Edinburgh, and with all the precipitancy of fear, and of zeal, took such resolutions as they thought necessary for the safety of the kingdom. They wrote circular letters to all the presbyteries in Scotland; they warned them of the approaching danger; they exhorted them to stir up their people to the defence of their just rights; they commanded them to publish, in all their pulpits

the act of excommunicating the popish lords; and enjoined them to lay all those who were suspected of favouring popery under the same censure by a summary sentence, and without observing the usual formalities of trial. And as the danger seemed too pressing to wait for the stated meetings of the judicatories of the church, they made choice of the most eminent clergymen in different corners of the kingdom, appointed them to reside constantly at Edinburgh, and to meet every day with the ministers of that city, under the name of the *Standing Council of the Church*, and vested in this body the supreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the church should receive no detriment.

These proceedings, no less unconstitutional than unprecedented, were manifest encroachments on the royal prerogative, and bold steps towards open rebellion. The king's conduct, however, justified in some degree such excesses. His lenity towards the papists, so repugnant to the principles of that age; his pardoning the conspirators, notwithstanding repeated promises to the contrary; the respect he paid to lady Huntly, who was attached to the Romish religion no less than her husband; his committing the care of his daughter, the princess Elizabeth, to lady Levingston, who was infected with the same superstition; the contempt with which he talked, on all occasions, both of the character of ministers, and of their function; were circumstances which might have filled minds, not prone by nature to jealousy, with some suspicions; and might have precipitated into rash counsels, those who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the clergy, or however laudable the end they had in view, they conducted their measures with no address, and even with little prudence. James discovered a strong inclination to avoid a rupture with the church, and jealous as he was of his prerogative, would willingly have made many concessions for the sake of peace. By his command some of the privy-counsellors had an interview with the more moderate among the clergy, and inquired whether Huntly and

his associates might not, upon making proper acknowledgments, be again received into the bosom of the church, and be exempted from any further punishment on account of their past apostacy and treasons. They replied, that though the gate of mercy stood always open for those who repented and returned, yet as these noblemen had been guilty of idolatry, a crime deserving death both by the law of God and of man, the civil magistrate could not legally grant them a pardon; and even though the church should absolve them, it was his duty to inflict punishment upon them. This inflexibility in those who were reckoned the most compliant of the order, filled the king with indignation, which the imprudence and obstinacy of a private clergyman heightened into rage.

Mr. David Black, minister of St. Andrews, discoursing in one of his sermons, according to custom, concerning the state of the nation, affirmed that the king had permitted the popish lords to return into Scotland, and by that action had discovered the treachery of his own heart; that all kings were the devil's children; that Satan had now the guidance of the court; that the queen of England was an atheist; that the judges were miscreants and bribers; the nobility godless and degenerate; the privy-counsellors cormorants, and men of no religion; and in his prayer for the queen he used these words, we must pray for her for fashion's sake, but we have no cause, she will never do us good. James commanded him to be summoned before the privy-council, to answer for such seditious expressions; and the clergy instead of abandoning him to the punishment which such a petulant and criminal attack on his superiors deserved, were so imprudent as to espouse his cause, as if it had been the common one of the whole order. The controversy concerning the immunities of the pulpit, and the right of the clergy to testify against vices of every kind, which had been agitated in one thousand five hundred and eighty-four, was now revived. It was pretended that, with regard to their sacred function, ministers were subject to the church alone; that it belonged only to their ecclesiastical superiors to

judge of the truth or falfehood of the doctrines deliver-ed in the pulpit; that if, upon any pretence whatever, the king ufurped this jurifdiction, the church would, from that moment, fink under fervitude to the civil magiftrate; that, inftead of reproving vice with that honeft boldnefs which had often been of advantage to individuals, and falutary to the kingdom, the clergy would learn to flatter the paffions of the prince, and to connive at the vices of others; that the king's eagernefs to punifh the indifcretion of a proteftant minifter, while he was ready to pardon the crimes of popifh confpirators, called on them to ftand on their guard, and that now was the time to contend for their privileges, and to prevent any encroachment on thofe rights, of which the church had been in poffeffion ever fince the Reformation. Influenced by thefe confiderations, the council of the church enjoined Black to decline the jurifdiction of the privy-council. And he, proud of fuch an opportunity to difplay his zeal, prefented a paper to that purpofe, and with the utmoft firmnefs refufed to plead, or to anfwer the queftions which were put to him. In order to add greater weight to thefe proceedings, the council of the church tranfmitted the declinature to all the prefbyteries throughout the whole kingdom, and enjoined every minifter to fubfcribe it, in teftimony of his approbation.

James defended his rights with no lefs vigour than they were attacked. Senfible of the contempt under which his authority muft fall, if the clergy fhould be permitted publicly, and with impunity, to calumniate his minifters, and even to cenfure himfelf; and knowing, by former examples, what unequal reparation for fuch offences he might expect from the judicatories of the church, he urged on the inquiry into Black's conduct, and iffued a proclamation, commanding the members of the council of the church to leave Edinburgh, and to return to their own parifhes. Black inftead of fubmitting, renewed his declinature; and the council, in defiance of the proclamation, declared, that as they met by the authority of the church, obedience to it was a duty ftill more facred than that which they owed to

the king himfelf. The privy-council, notwithftanding Black's refufing to plead, proceeded in the trial; and, after a folemn inquiry, pronounced him guilty of the crimes of which he had been accufed; but referred it to the king to appoint what punifhment he fhould fuffer.

Mean while, many endeavours were ufed to bring matters to accommodation. Almoft every day produced fome new fcheme of reconcilement; but though the king's ficklenefs, the obftinacy of the clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accufations endeavoured to render each other odious. Infolence, fedition, treafon, were the crimes with which James charged the clergy, while they made the pulpits refound with complaints of his extenfive lenity towards papifts, and of the no lefs exceffive rigour with which he oppreffed the eftablifhed church. Exafperated by their bold invectives, he, at laft fentenced Black to retire beyond the river Spey, and to refide there during his pleafure; and once more commanding the members of the ftanding council to depart from Edinburgh, he required all the minifters in the kingdom to fubfcribe a bond, obliging themfelves to fubmit, in the fame manner as other fubjects, to the jurifdiction of the civil courts in matters of a civil nature.

This decifive meafure excited all the violent paffions which poffefs difappointed factions; and deeds no lefs violent immediately followed. Thefe muft be imputed in part to the artifices of fome courtiers, who expected to reap advantage from the calamities of their country or who hoped to leffen the authority of the Octavians, by engaging them in hoftilities with the church. On one hand, they informed the king, that the citizens of Edinburgh were under arms every night, and had planted a ftrong guard round the houfes of their minifters. James, in order to put a ftop to this imaginary infult on his government, iffued a proclamation, commanding twenty-four of the principal citizens to leave the town within fix hours. On the other hand, they wrote to the minifters advifing them to look to their own fafety, as Huntly had been fecretly admitted to an interview

with the king, and had been the author of the severe proclamation against the citizens of Edinburgh§. They doubted no more of the truth of this intelligence, than the king had done of that which he received, and fell as blindly into the snare. The letter came to their hands just as one of their number was going to mount the pulpit. They resolved that he should acquaint the people of their danger: and he painted it with all the strongest colours which men naturally employ in describing any dreadful and instant calamity. When the sermon was over, he desired the nobles and gentlemen to assemble in the *Little Church*. The whole multitude, terrified at what they had heard, crowded thither; they promised and vowed to stand by the church; they drew up a petition to the king craving the redress of their grievances, of which the clergy complained, and beseeching him to deliver them from all future apprehensions of danger, by removing such of his counsellors as were known to be enemies of the protestant religion. Two peers, two gentlemen, two burgesses, and two ministers, were appointed to present it. The king happened to be in the great hall of the tolbooth where the court of session was sitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave an haughty reply; the petitioners insisted with warmth; and a promiscuous multitude pressing into the room, James retired abruptly into another apartment, and commanded the gates to be shut behind him. The deputies returned to the multitude, who were still assembled, and to whom a minister had been reading, in their absence, the story of Haman. When

§ Though matters were industriously aggravated by persons, who wished both parties to pursue violent measures, neither of these reports was altogether destitute of foundation. As their ministers were supposed to be in danger, some of the more zealous citizens had determined to defend them by force of arms. Birch, Mem. ii. 250. Huntly had been privately in Edinburgh, where he had an interview, if not with the king, at least with some of his ministers. Birch, Ibid. 230.

they reported that the king had refused to listen to their petitions, the church was filled in a moment with noise, threatenings, execrations, and all the outrage and confusion of a popular tumult. Some called for their arms, some to bring out the wicked Haman; others cried, "The sword of the Lord and of Gideon;" and rushing out with the most furious impetuosity, surrounded the tolbooth, threatening the king himself and demanding some of his counsellors, whom they named, that they might tear them in pieces. The magistrates of the city, partly by authority, partly by force, endeavoured to quell the tumult; the king attempted to soothe the malecontents, by promising to receive their petitions, when presented in a regular manner; the ministers sensible of their own rashness in kindling such a flame, seconded both; and the rage of the populace subsiding as suddenly as it had risen, they all dispersed, and the king returned to the palace, happy in having escaped from an insurrection, which through the instantaneous and unconcerted effect of popular fury, had exposed his life to imminent danger, and was considered by him as an unpardonable affront to his authority*.

As soon as he retired, the leaders of the malecontents assembled in order to prepare their petition. The punishment of the popish lords; the removal of those counsellors who were suspected of favouring their persons or opinions; the repeal of all the late acts of council, subversive of the authority of the church; together with an act approving the proceedings of the standing council; were the chief of their demands. But the king's indignation was still so high, that the deputies chosen for that purpose durst not venture that night to present requests, which could not fail of kindling his rage anew. Before next morning, James, with all his attendants, withdrew to Linlithgow; the session and other courts of justice, were required to leave a city where it was no longer consistent either with their safety, or their dignity, to remain; and the noblemen and

* Spotsw. 417, &c. Cald. v. 54, &c. Birch, Mem. ii. 235.

barons were commanded to return to their own houses, and not to reassemble without the king's permission. The vigour with which the king acted, struck a damp upon the spirits of his adversaries. The citizens, sensible how much they would suffer by his absence, and the removal of the courts of justice, repented already of their conduct. The ministers alone resolved to maintain the contest. They endeavoured to prevent the nobles from dispersing; they inflamed the people by violent invectives against the king; they laboured to procure subscriptions to an association for their mutual defence; and conscious what lustre and power the junction of some of the greater nobles would add to their cause, the ministers of Edinburgh wrote to lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the church, had taken arms; that many of the nobles had determined to protect the protestant religion, which owed its establishment to the piety and valour of their ancestors; that they wanted only a leader to unite them, and to inspire them with vigour; that his zeal for the good cause, no less than his noble birth, entitled him to that honour: they conjured him, therefore, not to disappoint their hopes and wishes, nor to refuse the suffering church that aid which she so much needed. Lord Hamilton, instead of complying with their desire, carried the letter directly to the king, whom this new insult irritated to such a degree, that he commanded the magistrates of Edinburgh instantly to seize their ministers, as manifest incendiaries, and encouragers of rebellion. The magistrates, in order to regain the king's favour, were preparing to obey; and the ministers who saw no other hope of safety, fled towards England *.

This unsuccessful insurrection, instead of overturning, established the king's authority. Those concerned in it were confounded and dispersed. And the rest of his subjects, in order to avoid suspicion, or to gain his favour contended who should be most forward to execute

* Spotsw. 45. Cald. v. 126.

his vengeance. A convention of estates being called, pronounced the late insurrection to be high treason; ordained every minister to subscribe a declaration of his submission to the king's jurisdiction, in all matters civil and criminal; impowered magistrates to commit, instantly, to prison any minister, who, in his sermons, should utter indecent reflections on the king's conduct; prohibited any ecclesiastical judicatory to meet without the king's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the king's approbation; and that, in the mean time, the present magistrates should either discover and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action *.

Armed with the authority of these decrees, James resolved to crush entirely the mutinous spirit of his subjects. As the clergy had hitherto derived their chief credit and strength from the favour and zeal of the citizens of Edinburgh, his first care was to humble them. Though the magistrates submitted to him in the most abject terms; though they vindicated themselves, and their fellow-citizens, from the most distant intention of violating his most royal person or authority; though, after the strictest scrutiny, no circumstances that could fix on them the suspicion of premeditated rebellion had been discovered; though many of the nobles and such of the clergy as still retained any degree of favour, interceded in their behalf; neither acknowledgments nor intercessions were of the least avail ‖. The king continued inexorable; the city was declared to have forfeited its privileges as a corporation, and to be liable to all the penalties of treason. The capital of the kingdom, deprived of magistrates, deserted by its ministers, abandoned by the courts of justice, and proscribed by the king, remained in desolation and despair. The courtiers even threatened to raze the city to the foundation, and to erect a pillar where it stood, as an everlasting monument of the

* Cald. v. 147. ‖ Ibid. v. 159.

king's vengeance, and of the guilt of its inhabitants. At last, in compliance with Elizabeth, who interposed in their favour, and moved by the continual solicitations of the nobles, James absolved the citizens from the penalties of law, but at the same time he stripped them of their most important privileges; they were neither allowed to elect their own magistrates nor their own ministers; many new burdens were imposed on them; and a great sum of money was exacted by way of peace-offering ||.

James was, mean while, equally assiduous, and no less successful, in circumscribing the jurisdiction of the church. Experience had discovered that to attempt this, by acts of parliament, and sentences of privy-council, was both ineffectual and odious. He had recourse now to an expedient more artful, and better calculated for obtaining his end. The ecclesiastical judicatories were composed of many members; the majority of the clergy were extremely indigent, and unprovided of legal stipends; the ministers in the neighbourhood of Edinburgh, notwithstanding the parity established by the presbyterian government, had assumed a leading in the church, which filled their brethren with envy; every numerous body of men is susceptible of sudden and strong impressions, and liable to be influenced, corrupted, or overawed. Induced by these considerations, James thought it possible to gain the clergy, whom he had in vain attempted to subdue. Proper agents were set to work all over the kingdom; promises, flattery, and threats, were employed; the usurpations of the brethren near the capital were aggravated; the jealousy of their power, which was growing in the distant provinces, was augmented; and two different general assemblies were held, in both which, notwithstanding the zeal and boldness wherewith a few leading clergymen defended the privileges of the church, a majority declared in favour of those measures which were agreeable to the king. Many practices, which continued

|| Spotsw. 434, 444.

fince the Reformation, were condemned; many points of difcipline, which had hitherto been reckoned facred and uncontroverted, were given up; the licence, with which minifters difcourfed of political matters, was reftrained; the freedom, with which they inveighed againft particular perfons, cenfured; fentences of fummary excommunications declared unlawful; the convoking of a general affembly without the king's permiffion, prohibited; and the right of nominating minifters to the principal towns, vefted in the crown. Thus, the clergy themfelves furrendered privileges, which it would have been dangerous to invade, and voluntarily fubmitted to a yoke more intolerable than any James would have ventured to impofe by force; while thofe who continued to oppofe his meafures, inftead of their former popular topic of the king's violent encroachments on a jurifdiction which did not belong him, were obliged to turn their outcries againft the corruptions of their own order *.

By the authority of thefe general affemblies, the popifh earls were allowed to make a public recantation of their errors; were abfolved from the fentence of excommunication; and received into the bofom of the church. But, not many years after, they relapfed into their former errors, were again reconciled to the church of Rome, and by their apoftacy juftified, in fome degree, the fears and fcruples of the clergy with regard to their abfolution.

The minifters of Edinburgh owed to the interceffion of thefe affemblies the liberty of returning to their charges in the city. But this liberty was clogged in fuch a manner as greatly abridged their power. The city was divided into diftinct parifhes; the number of minifters doubled; perfons on whofe fidelity the king could rely were fixed in the new parifhes; and thefe circumftances, added to the authority of the late decrees of the church, contributed to confirm that abfolute dominion in ecclefiaftical affairs, which James poffeffed during the remainder of his reign.

* Spotfw. 433. Cald. v. 189, 233.

The king was so intent on new modelling the church, that the other transactions of this period scarce deserve to be remembered. The Octavians, envied by the other courtiers, and splitting into factions among themselves, resigned their commission; and the administration of the revenue returning into its former channel, both the king and the nation were deprived of the benefit of their regular and frugal economy.

Towards the end of the year a parliament was held, in order to restore Huntly and his associates to their estates and honours, by repealing the act of forfeiture passed against them. The authority of this supreme court was likewise employed to introduce a farther innovation into the church; but, conformable to the system which the king had now adopted, the motion for this purpose took its rise from the clergy themselves. As the act of general annexation, and that establishing the presbyterian government, had reduced the few bishops, who still survived, to poverty and contempt; as those who possessed the abbeys and priories were mere laymen, and many of them temporal peers, few or none of the ecclesiastical order remained to vote in parliament, and, by means of that, the influence of the crown was considerably diminished there, and a proper balance to the power and number of the nobles was wanting. But the prejudices the nation had conceived against the name and character of bishops were so violent, that James was obliged, with the utmost care, to avoid the appearance of a design to revive that order. He prevailed therefore on the commission appointed by last assembly to complain to the parliament, that the church was the only body in the kingdom destitute of its representatives in that supreme court, where it so nearly concerned every order to have some, who were bound to defend its rights; and to crave that a competent number of the clergy should be admitted, according to ancient custom, to a seat there. In compliance with their request, an act was passed, by which those ministers, on whom the king should confer the vacant bishopricks and abbeys, were entitled to a

vote in parliament; and that the clergy might conceive no jealousy of any encroachment on their privileges, it was remitted to the general assembly, to determine what spiritual jurisdiction or authority in the government of the church these persons should possess †.

The king, however, found it no easy matter to obtain the concurrence of the ecclesiastical judicatories, in which the act of parliament met with a fierce opposition. Though the clergy perceived how much lustre this new privilege would reflect upon their order; though they were not insensible of the great accession of personal power and dignity, which many of them would acquire, by being admitted into the supreme council of the nation, their abhorrence of episcopacy was extreme; and to that they sacrificed every consideration of interest or ambition. All the king's professions of regard for the present constitution of the church did not convince them of his sincerity; all the devices that could be invented for restraining and circumscribing the jurisdiction of those who were to be raised to this new honour, did not diminish their jealousy and fear. Their own experience had taught them, with what insinuating progress the hierarchy advances, and though admitted at first with moderate authority, and under specious pretences, how rapidly it extends its dominion. "Varnish over this scheme," said one of the leading clergymen, "with what colours you please; deck the intruder with the utmost art; under all this disguise, I see the horns of his mitre." The same sentiments prevailed among many of his brethren, and induced them to reject power and honours, with as much zeal as ever those of their order courted them. Many, however, were allured by the hopes of preferment; the king himself and his ministers employed the same arts, which they had tried so successfully last year; and after long debates, and much opposition, the general assembly declared that it was lawful for ministers to accept of a seat in parliament, that it would be highly

† Spotsw. 450. Parl. 15th Ja. VI. c. 233.

beneficial to the church, to have its representatives in that supreme court; and that fifty-one persons, a number nearly equal to that of the ecclesiastics who were anciently called to parliament, should be chosen from among the clergy for that purpose. The manner of their election, together with the powers to be vested in them, were left undecided for the present, and furnished matter of future deliberation †.

As the prospect of succeeding to the crown of England drew nearer, James multiplied precautions in order to render it certain. And as he was allied to many of the princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his title to the English throne, and to desire their assistance, if any competitor should arise to dispute his undoubted rights. These princes readily acknowledged the equity of his claim; but the aid they could afford him was distant and feeble. At the same time, Edward Bruce, abbot of Kinloss, his ambassador at the English court, solicited Elizabeth, with the utmost warmth, to recognize his title by some public deed, and to deliver her own subjects from the calamities which are occasioned by an uncertain or disputed succession. But age had strengthened all the passions which had hitherto induced Elizabeth to keep this great question obscure and undecided; and a general and evasive answer was all that James could obtain. As no impression could be made on the queen, the ambassador was commanded to sound the dispositions of her subjects, and to try what progress he could make in gaining them. Bruce possessed all the talents of secrecy, judgment, and address, requisite for conducting a negotiation no less delicate, than important. A minister of this character was intitled to the confidence of the English. Many of the highest rank unbosomed themselves to him without reserve, and gave him repeated assurances of their resolution to assert his master's right, in opposition to every pretender ‡. And as several pamphlets were dispersed, at this time, in

† Spotiw. 450. Cald. v. 278. ‡ Johnst. 242.

England, containing objections to his title, James employed some learned men in his kingdom to answer these cavillers, and to explain the advantages which would result to both kingdoms by the union of the crowns. These books were eagerly read and contributed not a little to reconcile the English to that event. A book published this year by the king himself, produced an effect still more favourable. It was intitled *Basilicon Doron*, and contained precepts concerning the art of government, addressed to prince Henry his son. Notwithstanding the great alterations and refinements in national taste since that time, we must allow this to be no contemptible performance, and not to be inferior to the works of most contemporary writers, either in purity of style or justness of composition. Even that vain parade of erudition with which it abounds, and which now disgusts us, raised the admiration of that age; and, as it was filled with those general rules which speculative authors deliver for rendering a people happy, and of which James could discourse with great plausibility, though often incapable of putting them in practice, the English conceived a high opinion of his abilities, and expected an increase of national honour and prosperity, under a prince so profoundly skilled in politics, and who gave such a specimen both of his wisdom and of his love to his people *.

The queen of England's sentiments concerning James, were very different from those of her subjects. His excessive indulgence towards the popish lords; the facility with which he pardoned their repeated treasons; his restoring Beaton, the popish archbishop of Glasgow, who had fled out of Scotland at the time of the Reformation, to the possession of the temporalities of that benefice; the appointing him his ambassador at the court of France; the applause he bestowed, in the Basilicon Doron, on those who adhered to the queen his mother; Elizabeth considered as so many indications of a mind alienated from the protestant religion; and suspected that he would soon revolt from

* Camd. Spotsw. 457.

the profession of it. These suspicions seemed to be fully confirmed by a discovery which came from the Master of Gray, who resided at that time in Italy, and who, rather than suffer his intriguing spirit to be idle, demeaned himself so far as to act as a spy for the English court. He conveyed to Elizabeth the copy of a letter, written by James to pope Clement VIII. in which the king, after many expressions of regard for that pontiff, and of gratitude for his favours, declared his firm resolution to treat the Roman catholics with indulgence; and in order to render the intercouse between the court of Rome and Scotland more frequent and familiar, he solicited the pope to promote Drummond, bishop of Vaison, a Scotsman to the dignity of a cardinal †. Elizabeth who had received by another channel ‡, some imperfect intelligence of this correspondence, was filled with just surprise, and immediately despatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action so unbecoming a protestant prince. He was no less astonished at the accusation, and with a confidence, which nothing but the consciousness of innocence could inspire, affirmed the whole to be a mere calumny, and the letter itself to be forged by his enemies, on purpose to bring his sincerity in religion to be suspected. Elphingston the secretary of state denied the matter with equal solemnity. It came to be known by a very singular accident, which happened some years after, that the information which Elizabeth had received was well founded, though at the same time the king's declarations of his own innocence were perfectly consistent with truth. Cardinal Bellarmine, in a reply which he published to a controversial treatise, of which the king was the author, accused him of having abandoned the favourable sentiments which he had once entertained of the Roman catholic religion, and as a proof of this, quoted his letter to pope Clement VIII. It was impossible, any longer, to believe this to be a fiction; and it was a matter too delicate to be passed over

† Cald. 333. ‡ Winw. Mem. vol. i. 37, 52.

without strict inquiry. James immediately examined Elphingston, and his confession unravelled the whole mystery. He acknowledged that he had shuffled in this letter among other papers, which he laid before the king to be signed, who, suspecting no such deceit, subscribed it together with the rest, and without knowing what it contained; that he had no other motive, however, to this action, but zeal for his majesty's service; and, by flattering the Roman catholics with hopes of indulgence under the king's government, he imagined that he was paving his way for the more easy accession to the English throne. The privy council of England entertained very different sentiments of the secretary's conduct. In their opinion, not only the king's reputation had been exposed to reproach, but his life to danger, by this rash imposture; they even imputed the gunpowder treason to the rage and disappointment of the papists, upon finding that the hopes which this letter inspired were frustrated. The secretary was sent a prisoner into Scotland, to be tried for high treason. His peers found him guilty, but, by the queen's intercession, he obtained a pardon †.

According to the account of other historians, James himself was no stranger to this correspondence with the pope; and, if we believe them, Elphingston, being intimidated by the threats of the English council, and deceived by the artifices of the earl of Dunbar, concealed some circumstances in his narrative of this transaction, and falsified others; and at the expence of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his master's conduct *.

But whether we impute the writing of this letter to the secretary's officious zeal, or to the king's command, it is certain, that, about this time, James was at the utmost pains to gain the friendship of the Roman catholic princes, as a necessary precaution towards facilitating his accession to the English throne. Lord

† Spotsw. 456, 507. Johnst. 448. * Cald. vol. v. 322. vi. 147.

Home, who was himſelf a papiſt, was entruſted with a ſecret commiſſion to the pope ¶; the archbiſhop of Glaſgow was an active inſtrument with thoſe of his own religion *. The pope expreſſed ſuch favourable ſentiments both of the king, and of his right to the crown of England, that James thought himſelf bound, ſome years after, to acknowledge the obligation in a public manner §. Sir James Lindſay made great progreſs in gaining the Engliſh papiſts to acknowledge his majeſty's title. Of all theſe intrigues Elizabeth received obſcure hints from different quarters. The more imperfectly ſhe knew, the more violently ſhe ſuſpected the king's deſigns; and the natural jealouſy of her temper increaſing with age, ſhe obſerved his conduct with greater ſolicitude than ever.

The queſtions with regard to the election and power of the repreſentatives of the church, were finally decided this year at the general aſſembly, which met at Montroſe. That place was choſen as moſt convenient for the miniſters of the north, among whom the king's influence chiefly lay. And although great numbers reſorted from the northern provinces, and the king employed his whole intereſt, and the authority of his own preſence, to gain a majority, the following regulations were with difficulty agreed on: That the general aſſembly ſhall recommend ſix perſons to every vacant benefice, which gave a title to a ſeat in parliament, out of whom the king ſhall nominate one; that the perſon ſo elected, after obtaining his ſeat in parliament, ſhall neither propoſe nor conſent to any thing there, that may affect the intereſt of the church, without ſpecial inſtructions to that purpoſe; that he ſhall be anſwerable for his conduct to every general aſſembly; and ſubmit to its cenſure, without appeal, upon pain of infamy and excommunication; that he ſhall diſcharge the duties of a paſtor, in a particular congregation; that he ſhall not uſurp any eccleſiaſtical juriſdiction, ſuperior to that of his other brethren; that if the church in-

¶ Winw. Mem. vol. ii. 57. * Cald. vol. vi. 147. § Ibid. vol. v. 604.

flict on him the censure of deprivation, he shall thereby forfeit his seat in parliament; that he shall annually resign his commission to the general assembly, which may be restored to him, or not, as the assembly, with the king's approbation, shall judge most expedient for the good of the church*. Nothing could be more repugnant to the idea of episcopal government, than these regulations. It was not in consequence of rights derived from their office, but of powers conferred by a commission, that the ecclesiastical persons were to be admitted to a seat in parliament; they were the representatives, not the superiors of the clergy. Destitute of all spiritual authority, even their civil jurisdiction was temporary. James, however, flattered himself that they would soon be able to shake off these fetters, and gradually acquire all the privileges which belonged to the episcopal order. The clergy dreaded the same thing; and he contended for, and they opposed the nomination of these commissioners, not so much on account of the powers then vested in them, as of those to which it was believed they would soon attain†.

During this summer, the kingdom enjoyed an unusual tranquillity. The clergy, after many struggles, were brought under great subjection; the popish earls were restored to their estates and honours, by the authority of parliament, and with the consent of the church; the rest of the nobles were at peace among themselves, and obedient to the royal authority; when, in the midst of this security, the king's life was exposed to the utmost danger, by a conspiracy altogether unexpected, and almost inexplicable. The authors of it were John Ruthven, earl of Gowrie, and his brother Alexander, the sons of that earl who was beheaded in the year 1584. Nature had adorned both these young men, especially the elder brother, with many accomplishments, to which education had added its most elegant improvements. More learned than is usual among persons of their rank; more religious than is common at their age of life; ge-

* Spotsw. 453, 457. Cald. vol. v. 368. Spotsw. 454.

nerous, brave, popular; their countrymen, far from thinking them capable of any atrocious crime, conceived the most sanguine hopes of their early virtues. Notwithstanding all these noble qualities, some unknown motive engaged them in a conspiracy, which, if we adhere to the account commonly received, must be transmitted to posterity, as one of the most wicked, as well as one of the worst concerted, of which history makes any mention.

On the fifth of August, 1600, as the king who resided during the hunting season in his palace of Falkland, was going out to his sport early in the morning, he was accosted by Mr. Alexander Ruthven, who with an air of great importance, told the king, that the evening before, he had met an unknown man, of a suspicious aspect, walking alone in a by-path, near his brother's house at Perth; and on searching him, had found, under his cloak, a pot filled with a vast quantity of foreign gold; that he immediately seized both him and his treasure, and, without communicating the matter to any person, had kept him confined and bound in a solitary house; and that he thought it his duty to impart such a singular event first of all to his majesty. James immediately suspected this unknown person to be a trafficking priest, supplied with foreign coin, in order to excite new commotions in the kingdom; and resolved to impower the magistrates of Perth to call the person before them, and inquire into all the circumstances of the story. Ruthven violently opposed this resolution, and with many arguments urged the king to ride directly to Perth, and to examine the matter with his own eyes. Mean while the chace began; and James, notwithstanding his passion for that amusement, could not help ruminating upon the strangeness of the tale, and on Ruthven's importunity. At last he called him, and promised him, when the sport was over to set out for Perth. The chace, however, continued long; and Ruthven, who all the while kept close by the king, was still calling on him to make haste. At the death of the buck he would not allow James to stay

a fresh horse was brought him; and observing the duke of Lennox and the earl of Mar preparing to accompany the king, he intreated him to countermand them. This James refused; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raised some suspicions in his mind; yet his own curiosity, and Ruthven's solicitations, prevailed on him to set out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the king's arrival, though he had already dispatched two messengers for that purpose. At a little distance from the town, the earl, attended by several of the citizens, met the king, who had only twenty persons in his train. No preparations were made for the king's entertainment; the earl appeared pensive and embarrassed, and was at no pains to atone, by his courtesy or hospitality, for the bad fare with which he treated his guests. When the king's repast was over, his attendants were led to dine in another room, and he being left almost alone, Ruthven whispered him, that now was the time to go to the chamber where the unknown person was kept. James commanded him to bring sir Thomas Erskine along with them; but, instead of that, Ruthven ordered him not to follow: and conducting the king up a stair case, and then through several apartments, the doors of which he locked behind him, led him at last into a small study, in which there stood a man clad in armour, with a sword and dagger by his side. The king, who expected to have found one disarmed and bound, started at the sight, and inquired if this was the person; but Ruthven snatching the dagger from the girdle of the man in armour, and holding it to the king's breast, "Remember," said he, "how unjustly my father suffered by your command; you are now my prisoner; submit to my disposal without resistance or outcry, or this dagger shall instantly avenge his blood." James expostulated with Ruthven, intreated, and flattered him. The man whom he found in the study stood, all the while, trembling and dismayed, without courage either to aid the king, or to second his aggressor. Ruthven protested, that if the king raised

no outcry his life should be safe; and, moved by some unknown reason, retired in order to call his brother, leaving to the man in armour the care of the king, whom he bound by oath not to make any noise during his absence.

While the king was in this dangerous situation, his attendants growing impatient to know whither he had retired, one of Gowrie's attendants entered the room hastily, and told them that the king had just rode away towards Falkland. All of them rushed out into the street; and the earl, in the utmost hurry, called for their horses. But by this time his brother had returned to the king, and swearing that now there was no remedy, he must die, offered to bind his hands. Unarmed as James was, he scorned to submit to that indignity; and closing with the assassin, a fierce struggle ensued. The man in armour stood, as formerly, amazed and motionless; and the king dragging Ruthven towards a window, which, during his absence, he had persuaded the person, with whom he was left to open, cried, with a wild and affrighted voice, "Treason! Treason! "Help! I am murdered!" His attendants heard, and knew the voice; and saw, at the window, a hand, which grasped the king's neck with violence. They flew with precipitation to his assistance. Lennox and Mar, with the greater number, ran up the principal stair-case, where they found all the doors shut, which they battered with the utmost fury, endeavouring to burst them open. But sir John Ramsay, entering by a back-stair, which led to the apartment where the king was, found the door open; and rushing upon Ruthven, who was still struggling with the king, struck him twice with his dagger, and thrust him towards the stair-case, where sir Thomas Erskine and sir Hugh Herries met, and killed him; he crying with his last breath, "Alas! I am not to blame for this action." During this scuffle, the man who had been concealed in the study escaped unobserved. Together with Ramsay, Erskine, and Herries, one Wilson, a footman, entered the room where the king was, and before they had time

to shut the door, Gowrie rushed in with a drawn sword in each hand, followed by seven of his attendants well armed, and with a loud voice threatened them all with instant death. They immediately thrust the king into the little study, and shutting the door upon him, encountered the earl. Notwithstanding the inequality of numbers, sir John Ramsay pierced Gowrie through the heart, and he fell down dead without uttering a word; his followers having received several wounds, immediately fled. Three of the king's defenders were likewise hurt in the conflict. A dreadful noise continued still at the opposite door, where many persons laboured in vain to force a passage; and the king being assured that they were Lennox, Mar, and his other friends, it was opened on the inside. They ran to the king, whom they unexpectedly found safe, with transports of congratulation; and he, falling on his knees, with all his attendants around him, offered solemn thanks to God for such a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whose provost Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounded the house, threatening revenge, with many insolent and opprobrious speeches against the king. James endeavoured to pacify the enraged multitude, by speaking to them from the window; he admitted their magistrates into the house; related to them all the circumstances of the fact; and their fury subsiding by degrees, they dispersed. On searching the earl's pockets for papers that might discover his designs and accomplices, nothing was found but a small parchment bag, full of magical characters and words of enchantment; and if we may believe the account of the conspiracy published by the king, "while these were about him, the wound of "which he died bled not; but as soon as they were "taken away, the blood gushed out in great abun-"dance." After all the dangerous adventures of this busy day, the king returned in the evening to Falkland, having committed the dead bodies of the two brothers to the custody of the magistrates of Perth.

Notwithſtanding the minute detail which the king gave of all the circumſtances of this conſpiracy againſt his life, the motives which induced the two brothers to attempt an action ſo deteſtable, the end they had in view, and the accomplices on whoſe aid they depended, were altogether unknown. The words of Ruthven to the king gave ſome grounds to think that the deſire of revenging their father's death had inſtigated them to this attempt. But, whatever injuries their father had ſuffered, it is ſcarcely probable that they could impute them to the king, whoſe youth and ſubjection at that time to the violence of a faction exempted him from being the object of reſentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had ſuffered by benefits to his children; and Gowrie himſelf, ſenſible of his favour, had acknowledged it with the warmeſt expreſſions of gratitude. Three of the earl's attendants, being convicted of aſſiſting him in this aſſault on the king's ſervants, were executed at Perth; but they could give no light into the motives which had prompted their maſter to an action ſo repugnant to theſe acknowledgements. Diligent ſearch was made for the perſon concealed in the ſtudy, and from him great diſcoveries were expected. But Andrew Henderſon, the earl's ſteward, who, upon a promiſe of pardon, confeſſed himſelf to be the man, was as much a ſtranger to his maſter's deſign as the reſt; and though placed in the ſtudy by Gowrie's command, he did not even know for what end that ſtation had been aſſigned him. The whole tranſaction remained as impenetrably dark as ever; and the two brothers, it was concluded, had concerted their ſcheme without either confident or accomplice, with unexampled ſecrecy as well as wickedneſs.

An accident, no leſs ſtrange than the other circumſtances of the ſtory, and which happened nine years after, diſcovered that this opinion, however plauſible, was ill-founded; and that the two brothers had not carried on their machinations all alone. One Sprot, a notary,

having whiſpered among ſome perſons, that he knew ſome ſecrets relating to Gowrie's conſpiracy, the privy-council thought the matter worthy their attention, and ordered him to be ſeized. His confeſſion was partly voluntary, and partly forced from him by torture. According to his account, Logan of Reſtalrig, a gentleman of an opulent fortune, but of diſſolute morals, was privy to all Gowrie's intentions, and an accomplice in his crimes. Mr. Ruthven, he ſaid, had frequent interviews with Logan, in order to concert the plan of their operations; the earl had correſponded with him to the ſame purpoſe; and one Bour, Logan's confident, was truſted with the ſecret, and carried the letters between them. Both Logan and Bour were now dead. But Sprot affirmed that he had read letters written both by Gowrie and Logan on that occaſion; and, in confirmation of his teſtimony, ſeveral of Logan's letters, which a curioſity fatal to himſelf had prompted Sprot to ſteal from among Bour's papers, were produced*. Theſe were compared by the privy-council, with papers of Logan's hand-writing, and the reſemblance was manifeſt. Per-

* Logan's letters were five in number. One to Bour, another to Gowrie, and three of them without any direction; nor could Sprot diſcover the name of the perſon to whom they were written. Logan gives him the appellation of *Right Honourable.* It appears from this, however, and from other words in the letter, Cron. 95. that there were ſeveral perſons privy to the conſpiracy. The date of the firſt letter is July 18th. Mr. Ruthven had communicated the matter to Logan only five days before, Ibid. It appears from the original *ſummons of forfaulture* againſt Logan's heirs, that Bour, though he had letters addreſſed to him with regard to a conſpiracy equally dangerous and important, was ſo illiterate that he could not read. "Jacobus Bour, literarum prorſus ignarus, dicti Georgii opera in legendis omnibus ſcriptis ad eum miſſis, vel pertinentibus, utebatur." This is altogether ſtrange; and nothing but the capricious character of Logan can account for his chooſing ſuch a confident.

fons of undoubted credit, and well qualified to judge of the matter, examined them, and fwore to their authenticity. Death itfelf did not exempt Logan from profecution; his bones were dug up and tried for high treafon, and by a fentence equally odious and illegal †, his

† By the Roman law, perfons guilty of the crime of high treafon might be tried even after death. This practice was adopted by the Scots, without any limitation, Parl. 1540, c. 69. But the unlimited exercife of this power was foon conceived to be dangerous; and the crown was laid under proper reftrictions, by an act A. D. 1542, which has never been printed. The words of it are, "And becaufe the faid lords (i. e. the lords of articles) think the faid act (viz in 1540) too general, and prejudicial to the barons in the realm, therefore ftatutes, and ordains that the faid act fhall have no place in time coming, but againft the heirs of them that notorioufly commit, or fhall commit lefe majefty againft the king's perfon, againft the realm for averting the fame, and againft them that fhall happen to betray the king's army allenarly, and being notorioufly known in their time; and the heirs of thefe perfons to be called and judged within five years after the deceafe of the faid perfons committers of the faid crimes; and the faid time being bypaft, the faid heirs never to be purfued for the fame." The fentence againft Logan violated this ftatute in two particulars. He was not notourly known during his life to be an accomplice in the crime for which he was tried; and his heir was called in queftion more than five years after his death. It is remarkable that this ftatute feems not to have been attended to in the parliament which forfeited Logan. Another fingular circumftance deferves notice. As it is a maxim of juftice that no perfon can be tried in abfence; and as lawyers are always tenacious of their forms, and often abfurd in their devices for preferving them, they contrived that in any procefs againft a dead perfon, his corpfe or bones fhall be prefented at the bar. Examples of this occur frequently in the Scottifh hiftory. After the battle of Corrichie, the dead body of the earl of Huntly was prefented in parliament,

lands were forfeited, and his posterity declared infamous. Sprot was condemned to be hanged for misprision of treason. He adhered to his confession to the last; and having promised, on the scaffold, to give the spectators a sign in confirmation of the truth of what he had deposed, he thrice clapped his hands after he was thrown off the ladder by the executioner *.

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before sentence of forfeiture was pronounced against him. For the same reason the bodies of Gowrie and his brother were preserved, in order that they might be produced in parliament. Logan's bones, in compliance with the same rule, were dug up. Mackenz. Crim. Law, book i. tit. 6. § 22.

* It appears that archbishop Spotswood was present at the execution of Sprot, *Craw.* 115. and yet he seems to have given no credit to his discoveries. The manner in which he speaks of him is remarkable. "Whether or not I should mention the arraignment and execution of George Sprot, who suffered at Edinburgh, I am doubtful. His confession, though voluntary and constant, carrying small probability. The man deposed, &c. It seemed to be a very fiction, and a mere invention of the man's own brain, for neither did he shew the letter, nor could any wise man think that Gowrie, who went about the treason so secretly, would have communicated the matter to such a man as Logan was known to be." p. 508. Spotswood could not be ignorant of the solemnity with which Logan had been tried, and of the proof brought of the authenticity of his letters. He himself was probably present in parliament at the trial. The earl of Dunbar, of whom he always speaks with the highest respect, was the person who directed the process against Logan. Such a peremptory declaration against the truth of Sprot's evidence, notwithstanding all these circumstances is surprising. Sir Thomas Hamilton, the king's advocate at that time, and afterwards earl of Haddington, represents the proof produced at Logan's trial as extremely convincing, and in an original letter of his to the king, the 21st of June 1609, (in

But though it be thus unexpectedly discovered that Gowrie did not act without associates, little additional light is thrown by this discovery on the motives and intention of his conduct. It appears almost incredible that two young men of such distinguished virtue should revolt all at once from their duty, and attempt a crime so atrocious, as the murder of their sovereign. It appears still more improbable that they should have concerted their undertaking with so little foresight and prudence. If they intended that the deed should have remained concealed, they could not have chosen a more improper scene for executing it than their own house. If they intended that Henderson should have struck the blow, they could not have pitched on a man more destitute of the courage that must direct the hand of an assassin; nor could they expect that he, unsolicited, and unacquainted with their purpose, would venture on such a desperate action. If Ruthven meant to stab the king with his own hand, why did he withdraw the dagger, after it was pointed at his breast? How could he leave the king, after such a plain declaration of his intention? Was it not preposterous to commit him to the keeping of such a timid and false associate as Henderson? For what purpose did he waste time, in binding the arms of an unarmed man, whom he might easily have despatched with the sword? Had Providence permitted them to embrue their hands in the blood of their sovereign, what advan-

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Bibl. Facult. Jurid.) after mentioning the manner in which the trial had been conducted, he thus goes on:

"When the probation of the summons was referred to the lords of articles votes, they found uniformly all in one voice, the said summons to be so clearly proved, that they seemed to contend who should be able most zealously to express the satisfaction of his heart, not only by the most pithy words, but by tears of joy; diverse of the best rank confessing, that that whereof they doubted at their entry into the house was now so manifest, that they behoved to esteem them traitors who should any longer refuse to declare their assured resolution of the truth of that treason."

tage could have accrued to them by his death? and what claims or pretensions could they have opposed to the rights of his children*? Inevitable and instant vengeance, together with perpetual infamy, were the only consequences they could expect to follow such a crime.

On the other hand, it is impossible to believe that the king had formed any design against the life of the two brothers. They had not incurred his indignation by any crime; and were in no degree the objects of his jealousy or hatred†; nor was he of a spirit so sanguinary,

* It has been asserted, that in consequence of the king's death, the earl of Gowrie might have pretended to the crown of England, as the son of Dorothea Stewart, daughter of lord Methven by Margaret of England, who, after her divorce from the earl of Angus, took that nobleman for her third husband. Burnet, Hist. of his own Times. But this assertion is ill founded. It appears, from undoubted evidence, that lord Methven had only one child by queen Margaret, which died in its infancy, and Dorothea lady Ruthven was not the daughter of queen Margaret, but of Janet Stewart, lord Methven's second wife, a daughter of John earl of Athol. Crawf. Peer. 329. And though Gowrie had really been descended from the blood-royal of England, the king at that time had a son and a daughter: and besides them, lady Arabella Stewart, daughter of Charles earl of Lennox, had a preferable title to the crown of England.

† Sir Henry Neville, in a letter to Sir Ralph Winwood, imputes the death of the two brothers to a cause not mentioned by any of our historians. "Out of Scotland we hear that there is no good agreement, but rather an open diffidence betwixt the king and his wife, and many are of opinion that the discovery of some affection between her and the earl of Gowrie's brother (who was killed with him) was the truest cause and motive of that tragedy." Winw. Mem. vol. i. 274. Whether the following passages in Nicholson's letter be any confirmation of that suspicion, is submitted to the read-

or so noted for rash and desperate valour, as to have attempted to murder them in their own house, where they were surrounded with many domestics, he only with a slender and unarmed train; where they could call to their assistance the inhabitants of a city, at the devotion of their family, while he was at a distance from all aid; and least of all would he have chosen for his associates in such an enterprise, the earl of Mar and the duke of Lennox, the former connected in close friendship with the house of Gowrie, and the latter married to one of the earl's sisters.

Whichsoever of these opposite systems we embrace; whether we impute the intention of murder to Gowrie or to the king, insuperable difficulties arise, and we are involved in darkness, mystery, and contradiction. Perhaps the source of the whole conspiracy ought to be searched for deeper, and by deriving it from a more remote cause we may discover it to be less criminal.

To keep the king of Scots in continual dependence, was one great object of Elizabeth's policy. In order to this, she sometimes soothed him, and sometimes bribed

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er. In his letter, Sept. 22, 1602, he mentions the return of Gowrie's two younger brothers into Scotland, and adds, "The coming in of these two and the queen of Scots dealing with them, and sending away and furnishing Mrs. Beatrix [their sister] with such information as sir Thomas Erskine has given, hath bred great suspicion in the king of Scots, that they came not in but upon some dangerous plot." In another letter, January 1, 1603. "The day of writing my last, Mrs. Beatrix Ruthven was brought by the lady Paisly and Mrs. of Angus, as one of their gentlewomen, into the court in the evening, and stowed in a chamber prepared for her by the queen's direction, where the queen had much time and conference with her. Of this the king got notice, and shewed his dislike thereof to the queen, gently reproving her for it, and examining quietly of the queen's servants of the same, and of other matters thereunto belonging, with such discretion and secrecy as requires such a matter."

his miniſters and favourites; and when ſhe failed of attaining her end by theſe means, ſhe encouraged the clergy to render any adminiſtration which ſhe diſtruſted unpopular, by decrying it, or ſtirred up ſome faction of the nobles to oppoſe and to overturn it. In that fierce age, men little acquainted with the arts of undermining a miniſtry by intrigue, had recourſe to the ruder practice of rendering themſelves maſters of the king's perſon, that they might thereby obtain the direction of his councils. Thoſe nobles, who ſeized the king at the *Raid of Ruthven*, were inſtigated and ſupported by her. Bothwell, in all his wild attempts, enjoyed her protection, and when they miſcarried, he was ſecure of retreat in her dominions. The connexions which James had been forming of late with the Roman catholic princes, his ſecret negotiations in England with her ſubjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealouſy. She dreaded ſome great revolution in Scotland to be approaching, and it was her intereſt to prevent it. The earl of Gowrie was one of the moſt powerful of the Scottiſh nobles, and deſcended from anceſtors warmly attached to the Engliſh intereſt. He had adopted the ſame ſyſtem, and believed the welfare of his country to be inſeparably connected with the ſubſiſtence of the alliance between the two kingdoms. During his reſidence at Paris, he had contracted an intimate friendſhip with Sir Henry Neville, the queen's ambaſſador there, and was recommended by him to his court, as a perſon of whom great uſe might be made. Elizabeth received him, as he paſſed through England, with diſtinguiſhed marks of reſpect and favour. From all theſe circumſtances a ſuſpicion may ariſe, that the plan of the conſpiracy againſt the king was formed at that time, in concert with her. Such a ſuſpicion prevailed in that age, and from the letters of Nicholſon, Elizabeth's agent in Scotland it appears not to be deſtitute of foundation. An Engliſh ſhip was obſerved hovering, for ſome time, in the mouth of the frith of Forth. The earl's two younger brothers fled into England after the ill ſucceſs of the conſpiracy, and were protected by Elizabeth. James himſelf, tho'

he prudently concealed it, took great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the king's perſon, but only to circumſcribe his authority, and to thwart his ſchemes. His life was the ſureſt ſafeguard of her own, and reſtrained the popiſh pretenders to her crown, and their abettors, from deſperate attempts, to which their impatience and bigotry might, otherwiſe have urged them on. To have encouraged Gowrie to murder his ſovereign, would, on her part, have been an act of the utmoſt imprudence. Nor does this ſeem to have been the intention of the two brothers. Mr. Ruthven, firſt of all, endeavoured to decoy the king to Perth, without any attendants. When theſe proved more numerous than was expected, the earl employed a ſtratagem in order to ſeparate them from the king, by pretending that he rode away towards Falkland, and by calling haſtily for their horſes that they might follow him. By their ſhutting James up, mean while, in a diſtant corner of the houſe, and by attempting to bind his hands, their deſign ſeems to have been rather to ſeize than to aſſaſſinate him. Though Gowrie had not collected his followers in ſuch numbers as to have been able to detain him long a priſoner, in that part of the kingdom, by open force he might ſoon have been conveyed aboard the Engliſh ſhip, which waited perhaps to receive him, and he might have been landed at Faſt-caſtle, a houſe of Logan's, in which, according to many obſcure hints in his letters, ſome rendezvous of the conſpirators was to be held. Amidſt the ſurpriſe and terror, into which the king muſt have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was ſought. It was the intereſt of all his followers to confirm him in this belief, and to magnify his danger, in order to add to the importance and merit of their own ſervices. Thus his fears and their vanity, aided by the credulity and wonder which the contemplation of any great and tragical event, when not fully underſtood, is apt to inſpire, augmented the whole tranſaction. On the other hand, the extravagance and impro-

bability of the circumſtances which were added, detracted from the credit of thoſe which really happened; and even furniſhed pretences for calling in queſtion the truth of the whole conſpiracy.

The account of what had happened at Perth reached Edinburgh next morning. The privy-council commanded the miniſters of that city inſtantly to aſſemble their people; and after relating to them the circumſtances of the conſpiracy formed againſt the king's life, to return public thanks to God, for the protection which he had ſo viſibly afforded him. But as the firſt accounts tranſmitted to Edinburgh, written in a hurry, and while the circumſtances of the conſpiracy were but imperfectly known, and the paſſions which it excited ſtrongly felt, were indiſtinct, exaggerated, and contradictory, the miniſters laid hold of this; and though they offered to give public thanks to God for the king's ſafety, they refuſed to enter into any detail of particulars, or to utter from the chair of truth, what appeared to be ſtill dubious and uncertain.

A few days after, the king returned to Edinburgh, and though Galloway, the miniſter of his own chapel, made an harangue to the people at the public croſs, in which he recited all the circumſtances of the conſpiracy; though James himſelf, in their hearing, confirmed his account; though he commanded a narrative of the whole tranſaction to be publiſhed; the miniſters of that city, as well as many of their brethren, ſtill continued incredulous and unconvinced. Their high eſteem of Gowrie, their jealouſy of every part of the king's conduct, added to ſome falſe and many improbable circumſtances in the narrative, not only led them to ſuſpect the whole, but gave their ſuſpicions an air of credibility. But at length, the king, partly by arguments, partly by threats, prevailed on all of them, except Mr. Robert Bruce, to own that they were convinced of the truth of the conſpiracy. He could be brought no farther than to declare, that he reverenced the king's account of the tranſaction, but could not ſay that he himſelf was perſuaded of the truth of it. The ſcruples or obſtinacy of a ſingle man would have

been little regarded; but as the same spirit of incredulity began to spread among the people, the example of one in so high reputation for integrity and abilities was extremely dangerous. The king was at the utmost pains to convince and to gain Bruce; but finding it impossible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconcilement, banished him the kingdom.

The proceedings of parliament were not retarded by any scruples of this sort. The dead bodies of the two brothers were produced there, according to law; an indictment for high treason was preferred against them; witnesses were examined: and by an unanimous sentence, their estates and honours were forfeited; the punishment due to traitors was inflicted on their dead bodies; and, as if the punishment hitherto in use did not express sufficient detestation of their crimes, the parliament enacted that the surname of Ruthven should be abolished, and in order to preserve the memory of the king's miraculous escape, and to declare the sense which the nation had of the divine goodness to all future ages, appointed the fifth of August to be observed annually, as a day of public thanksgiving*.

* A few weeks after the death of the two brothers, the king published a discourse of their vile and unnatural conspiracy against his life. In the year 1713, George earl of Cromartie published an "Historical account of the conspiracy by the earl of Gowrie, and Robert Logan of Restalrig, against king James VI." He seems not to have seen the account which the king himself had given of that matter, and borrows the whole historical part from Spotswood and other authors; but he has extracted from the public records the depositions of the witnesses produced by the king's council, in order to make good the charge against the two brothers, and Logan their associate. From these two treatises our knowledge of all the material circumstances of the conspiracy is derived. The evidence which they contain one would expect to be authentic and decisive. An ac-

Though Gowrie's conſpiracy occaſioned a ſudden and a great alarm, it was followed by no conſequences

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count of a fact, ſtill recent; publiſhed by royal authority, and the original depoſitions of perſons examined in preſence of the higheſt court in the nation, ought to convey a degree of evidence ſeldom contained in hiſtorical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this tranſaction is dark and problematical, the king's account and the depoſitions of the witneſſes not only vary but contradict each other, in ſo many circumſtances, that much room is ſtill left for heſitation and hiſtorical ſcepticiſm. The teſtimony of Henderſon is the fulleſt and moſt important; but in ſeveral particulars the king's account and his are contradictory. I. According to the king's account, while Mr. Ruthven was holding the dagger at his breaſt, "the fellow in the ſtudy ſtood quaking and trembling." Diſc. 17. But Henderſon ſays that he himſelf wreſted the dagger out of Mr. Ruthven's hands. Diſc. 53. Crom. 50. Henderſon likewiſe boaſted to his wife that he had that day twice ſaved the king from being ſtabbed. Diſc. 54. Crom. 53. II. The king aſſerts that Henderſon opened the window during Mr. Ruthven's abſence, Diſc. 25. Henderſon depoſes, that he was only attempting to open it when Mr. Ruthven returned, and that during the ſtruggle between the king and him, he opened it. Diſc. 53, 54. Crom. 51, 52. III. If we may believe the king, the fellow in the ſtudy ſtood, during the ſtruggle, behind the king's back, inactive and trembling all the time. Diſc. 27. But Henderſon affirms, that he ſnatched away the garter with which Mr. Ruthven attempted to bind the king; that he pulled back Mr. Ruthven's hand, while he was endeavouring to ſtop the king's mouth, and that he opened the window. Diſc. 54. Crom. 52. IV. By the king's account, Mr. Ruthven left him in the ſtudy, and went away in order to meet with his brother, and that the earl came up the ſtairs for the ſame purpoſe. Diſc. 23. Henderſon depoſes, that when Mr. Ruthven left the king, "he believes that he

of importance, and having been concerted by the two brothers, either without any aſſociates, or with ſuch as were unknown, and choſe to remain ſo, the danger was over as ſoon as diſcovered. But not long after, a conſpiracy broke out in England againſt Elizabeth, which, though the firſt danger was inſtantly diſpelled,

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did not paſs from the door." Crom. 51. It is apparent both from the ſituation of the houſe, and from other circumſtances that there could not poſſibly have been any interview between the brothers at this time. Diſc. 23.

Henderſon was twice examined, firſt at Falkland before the privy-council in Auguſt, and next at Edinburgh before the parliament in November. Not to mention ſome leſſer variations between theſe depoſitions, we ſhall point out two which are remarkable. In his firſt depoſition, Mr. Henderſon relates the moſt material circumſtance of the whole in theſe words: "Mr. Ruthven pulled out the deponent's dagger, and held the ſame to his majeſty's breaſt, ſaying, "*Remember you of my father's murder; you ſhall now die for it:*" and pointing to his highneſs's heart with the dagger, the deponent threw the ſame out of Mr. Ruthven's hands, and ſwore, that as God ſhould judge his ſoul, that if Mr. Ruthven had retained the dagger in his hand, the ſpace a man may go ſix ſteps, he would have ſtricken the king to the hilts with it." Diſc. 52. But at his ſecond examination he varied from this in two material circumſtances. Firſt, the words he at that time put in Mr. Ruthven's mouth while he held the dagger at the king's breaſt, are, "*Sir, you muſt be my priſoner; remember on my father's death.*" Secondly when he threatened him with death, it was only to deter him from making any noiſe, "*Hold your tongue, or by Chriſt you ſhall die.* 2. In his firſt depoſition, the words of Mr. Ruthven, when he returned to the chamber where he had left the king, are, "*There is no remedy, by God you muſt die.*" But in his ſecond depoſition, "By God there is no remedy, and offered to bind his majeſty's hands." Crom. 51.

produced tragical effects, that rendered the close of that queen's reign dismal and unhappy. As James was deeply interested in that event, it merits our particular notice.

The court of England was at this time divided between two powerful factions, which contended for the supreme direction of affairs. The leader of the one was Robert D'Evreux, earl of Essex; Sir Robert Cecil, the son of lord treasurer Burleigh, was at the head of the other. The former was the most accomplished and the most popular of all the English nobles; brave, generous, affable; though impetuous, yet willing to listen to the counsels of those whom he loved; an avowed,

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the material words *you must die* are omitted. The first deposition seems plainly to intimate that it was Ruthven's intention to murder the king. The second would lead us to conclude that he had no other design than to detain him as a prisoner.

There are likewise some remarkable contradictions in the testimonies of the other witnesses. 1. In the discourse published by authority, it is insinuated that the tumult of the inhabitants was raised against the king, and that it required some art to pacify them. Disc. 32. The duke of Lennox confirms this in his deposition. Crom. 44. An act of privy-council summoning the magistrates of Perth to answer for that riot is still extant. And yet Andrew Roy, one of the bailies of the town, deposes that he himself raised the people, and that they took arms in order to assist the king. Crom. 66. 2. Henderson deposes, that he gave an evasive answer to Mr. John Moncrief, who enquired where he had been that morning, because the earl had commanded him not to let any man know that he had been at Falkland. Disc. 54. Moncrief depotes to the same purpose. Crom. 64. And yet George Hay, afterwards lord Kinnoul, and chancellor of Scotland, and Peter Hay, depose, that the earl, in their presence, asked Henderson, "Whom he found with the king at Falkland?" Crom. 70, 71. Which question seems to prove that he did not aim at keeping that journey a secret.

but not an implacable enemy; a friend no leſs conſtant than warm; incapable of diſguiſing his own ſentiments, or of miſrepreſenting thoſe of others; better fitted for the camp than for the court; and of a genius that qualified him for the firſt place in the adminiſtration, with a ſpirit which ſcorned the ſecond as below his merit. He was ſoon diſtinguiſhed by the queen, who, with a profuſion uncommon to her, conferred on him, even in his earlieſt youth, the higheſt honours, and moſt important offices. Nor did this diminiſh the eſteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his ſovereign, and the darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply ſkilled in all its arts, was crafty, inſinuating, induſtrious; and though poſſeſſed of talents which fitted him for the higheſt offices, he did not rely upon his merit alone for attaining them, but availed himſelf of every advantage, which his own addreſs, or the miſtakes of others afforded him. Two ſuch men were formed to be rivals and enemies. Eſſex deſpiſed the arts of Cecil as low and baſe. To Cecil the earl's magnanimity appeared to be preſumption and folly. All the military men, except Raleigh, favoured Eſſex. Moſt of the courtiers adhered to Cecil, whoſe manners more nearly reſembled their own.

As Elizabeth advanced in years, the ſtruggle between theſe factions became more violent. Eſſex, in order to ſtrengthen himſelf, had early courted the friendſhip of the king of Scots, for whoſe right of ſucceſſion he was a zealous advocate, and held a cloſe correſpondence both with him and with his principal miniſters. Cecil, devoted to the queen alone, roſe daily to new honours, by the aſſiduity of his ſervices, and the patience with which he expected the reward of them; while the earl's high ſpirit and impetuoſity ſometimes expoſed him to checks from his miſtreſs, who, though partial in her affection toward him, could not eaſily bear contradiction, and conferred favours often unwillingly, and always ſlowly. His own ſolicitations, however, ſeconded maliciouſly by his enemies, who wiſhed to

remove him at a diſtance from court, advanced him to the command of the army employed in Ireland againſt Tyronne, and to the office of lord lieutenant of that kingdom with a commiſſion almoſt unlimited. His ſucceſs in that expedition did not equal either his own promiſes, or the expectations of Elizabeth. The queen, peeviſh from her diſappointment, and exaſperated againſt Eſſex by the artifices of his enemies, wrote him a harſh letter, full of accuſations and reproaches. Theſe his impatient ſpirit could not bear, and, in the firſt tranſports of his reſentment, he propoſed to carry over a part of his army into England, and by driving his enemies from the queen's preſence, to reinſtate himſelf in favour and in power. But, upon more mature thoughts, he abandoned this raſh deſign, and, ſetting ſail with a few officers devoted to his perſon, landed in England, and poſted directly to court. Elizabeth received him without any ſymptom either of affection or of diſpleaſure. By proper compliances and acknowledgments, he might have regained his former aſcendant over the queen. But he thought himſelf too deeply injured to ſubmit to theſe. Elizabeth, on the other hand, determined to ſubdue his haughty temper; and though her ſeverity drew from him the moſt humble letters, ſhe confined him to the lord keeper's houſe, and appointed commiſſioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permiſſion. By their ſentence, he was ſuſpended from all his offices, except that of maſter of the horſe, and continued a priſoner during the queen's pleaſure. Satisfied with having mortified his pride thus far, Elizabeth did not ſuffer the ſentence to be recorded, and ſoon after allowed him to retire to his own houſe. During theſe tranſactions, which occupied ſeveral months, Eſſex fluctuated between the allegiance he owed to his ſovereign, and the deſire of revenge; and ſometimes leaned to the one, and ſometimes to the other. In one of the intervals when the latter prevailed, he ſent a meſſenger into Scotland, to encourage the king to aſſert his own right to the ſucceſſion by force of arms, and to promiſe that, beſides the aſſiſtance of

the earl and all his friends in England, lord Mountjoy, now lord lieutenant of Ireland, would join him with five thousand from that kingdom. But James did not choose to hazard the losing a kingdom, which was just ready to fall into his hands by a premature attempt to seize it. Mountjoy, too, declined the enterprise, and Essex adopted more dutiful schemes; all thoughts of ambition appearing to be totally effaced out of his mind.

This moderation, which was merely the effect of disgust and disappointment, was not of long continuance; and the queen, having not only refused to renew a lucrative grant which she had formerly bestowed, but to admit him into her presence, that new injury drove a temper naturally impatient, and now much fretted, to absolute despair. His friends, instead of soothing his rage or restraining his impetuosity, added to both by their imprudent and interested zeal. After many anxious consultations, he determined to attempt to redress his wrongs by violence. And conscious how unpopular such an enterprise would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the semblance of public utility, by mingling the king of Scotland's interest with his own. He wrote to James, that the faction which now predominated in the English court had resolved to support the pretensions of the infanta of Spain to the crown; that the places of the greatest importance in the kingdom were put into the hands of his avowed enemies; and that unless he sent ambassadors, without delay, to assist on the immediate declaration of his right of succession, their measures were so well concerted, that all his hopes would be desperate. James, who knew how disagreeable such a proposal would be to the queen of England, was not willing rashly to expose himself to her displeasure. But Essex, blinded by resentment, and impatient for revenge, abandoned himself to these passions, and acted like a man guided with frenzy and despair. With two or three hundred followers incompletely armed, he attempted to assault a throne the best established in Europe. Sallying at their head out of his own house, he

called on the citizens of London, if they either valued his life, or wished to preserve the kingdom from the dominion of the Spaniards, to take arms, and to follow his standard. He advanced towards the palace with an intention to drive Cecil and his faction out of the queen's presence, and to obtain a declaration of the Scottish king's right of succession *. But, though almost adored by the citizens, not a man would join him in this wild enterprise. Dispirited by their indifference, deserted by some of his own attendants, and almost surrounded by the troops which marched under different leaders into the city, he retreated to his own house; and without any bold effort, suitable to his present condition, or worthy of his former reputation for courage, he surrendered to his enemies.

As soon as James heard of Essex's ill success, he appointed the earl of Mar, and the abbot of Kinloss, to repair as his ambassadors to the court of England. The former of these was the person by whose means Essex had carried on his correspondence with the king. He was a passionate admirer of the earl's character, and disposed to attempt every thing that could contribute to his safety. Bruce, united in a close friendship with Mar, was ready to second him with equal zeal. Nor was the purpose of the embassy less friendly to Essex, than the choice of his ambassadors; they were commanded to solicit, in the warmest manner, for the earl's life, and if they found that the king, by avowing his friends, could either promote their designs or contribute to their safety, they were empowered to lay aside all disguise, and to promise that he would put himself at their head, and claim what was due to him by force of arms †. But before the ambassadors could reach London, Essex had suffered the punishment which he merited by his treason. Perhaps, the fear of their interposing, in order to obtain his pardon, hastened his death. Elizabeth, continued for some time, irresolute concerning his fate, and could not bring herself to con-

* Birch, Mem. ii. 477. † Johnst. 289. Birch. Mem. ii. 510.

sign into the hands of the executioner, a man who had once possessed her favour so entirely, without a painful struggle between her resentment against his late misconduct, and her ancient affection towards him. The distress to which he was now reduced, tended naturally to soften the former, while it revived the latter with new tenderness: and the intercession of one faithful friend, might perhaps have saved his life, and have procured him a remission, which, of herself, the queen was ashamed to grant. But this generous nobleman had at that time no such friend. Elizabeth, solicited incessantly by her ministers, and offended with the haughtiness of Essex, who, as she imagined, scorned to sue for pardon, at last commanded the sentence to be put in execution. No sooner was the blow struck than she repented of her own rashness, and bewailed his death with the deepest sorrow. James always considered him as one who had fallen a martyr to his service, and, after his accession to the English throne, restored his son to his honours, as well as all his associates in the conspiracy, and distinguished them with his favour *.

The Scottish ambassadors, finding that they had arrived too late to execute the chief business committed to their charge, not only concealed that part of their instructions with the utmost care; but congratulated the queen, in their master's name, on her happy escape from such an audacious conspiracy. Elizabeth, though no stranger to the king's correspondence with Essex, or to that nobleman's intentions of asserting James's right to the crown was not willing that these should be known to the people, and, for that reason, received the congratulation of the Scottish ambassadors with all possible marks of credit and good-will; and in order to soothe James, and to preserve the appearances of union between the two courts, increased the subsidy which she paid him annually. The ambassadors resided for some time in England, and were employed, with great

* Camd. Spotsw. 464.

succefs, in renewing and extending the intrigues which Bruce had formerly entered into with the English nobles. As Elizabeth advanced in years, the English turned their eyes more and more towards Scotland, and were eager to prevent each other in courting the favour of their future monarch. Affurances of attachment, profeffions of regard, and promifes of fupport, were offered to James from every corner of the kingdom. Cecil himfelf, perceiving what hopes Effex had founded on the friendfhip of the Scottifh king, and what advantages he might have derived from it, thought it prudent to ftand no longer at a diftance from a prince, who might fo foon become his mafter. But being fenfible at the fame time how dangerous fuch an intercourfe might prove, under a miftrefs naturally jealous, and whofe jealoufy grew ftronger with old age; though he entered into a correfpondence with him, he carried it on with all the fecrecy and caution, neceffary in his fituation, and peculiar to his character. And James having gained the man whofe oppofition and influence he had hitherto chiefly dreaded, waited in perfect fecurity, till that event fhould happen, which would open his way to the throne of England. It was with fome difficulty, that he reftrained within proper bounds his adherents in that kingdom who, labouring to diftinguifh themfelves by that officious zeal with which a prince, who has a near profpect of mounting the throne, is always ferved, urged him to allow a motion to be made in parliament for declaring his right of fucceffion to the crown. James prudently difcouraged that defign; but it was with no fmall fatisfaction that he obferved the afcendent he was acquiring in a court whofe dictates he had been fo long obliged to obey; and which had either prefcribed or thwarted every ftep he had taken during the whole courfe of his reign *.

Notwithftanding the violent ftruggles of the political factions which divided the court, and the frequent revolutions which had happened there, fince the king firft took the reins of government into his own hands, Scot-

* Spotfw. 467, 471. Birch. Mem. ii. 514.

land had enjoyed unufual tranquillity; being undifturbed by any foreign enemy, and free from any inteftine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Ifles, a part of his dominions almoft totally neglected by former monarchs, though the reformation of it was an object highly worthy of their care. The long peace with England had offered an opportunity of fubduing the licentious fpirit of the borderers, and of reftraining their depredations, often no lefs ruinous to their countrymen than to their enemies. The inhabitants of the low country began, gradually to forget the ufe of arms, and to become attentive to the arts of peace. But the Highlanders, retaining their natural fiercenefs, averfe from labour, and inured to rapine, infefted their more induftrious neighbours by their continual incurfions. James, being folicitous not only to reprefs their inroads, but to render them ufeful fubjects, had at different times enacted many wife laws extremely conducive to thefe ends. All landlords, or chiefs of clans, were enjoined to permit no perfons to refide on their eftates, who could not find fufficient furety for their good behaviour; they were required to make a lift of all fufpicious perfons under their jurifdiction, to bind themfelves to deliver them up to juftice, and to indemnify thofe who fhould fuffer by their robberies; and in order to afcertain the faithful performance of thefe articles, the chiefs themfelves were obliged to give hoftages to the king, or to put pledges in his hands. Three towns, which might ferve as a retreat for the induftrious, and a nurfery for arts and commerce, were appointed to be built in different parts of the Highlands; one in Cantire, another in Lochaber, and a third in the ifle of Lewis; and, in order to draw inhabitants thither, all the privileges of royal boroughs were to be conferred upon them. Finding it, however, to be no eafy matter to infpire the natives of thofe countries with the love of induftry, a refolution was taken to plant among them colonies of people from the more induftrious counties. The firft experiment was made in the ifle of Lewis, and as

it was advantageously situate for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was drawn out of Fife, the inhabitants of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders enraged at seeing their country occupied by those intruders, took arms and surprising them in the night-time, murdered some of them, and compelled the rest to abandon the settlement. The king's attention being soon after turned to other objects, we hear no more of this salutary project. Though James did not pursue the design with that steady application and perseverance, without which it is impossible to change the manners of a whole people, he had the glory, however, not only of having first conceived the thought, but of having first pointed out the proper method of introducing the civil arts of life into that part of the island.

After having long enjoyed a good state of health, the effect of a sound constitution, and the reward of uncommon regularity and temperance, Elizabeth began this winter to feel her vigour decrease, and to be sensible of the infirmities of old age. Having removed on a very stormy day from Westminster to Richmond, whether she was impatient to retire, her complaints increased. She had no formed fever; her pulse was good; but she eat little, and could not sleep. Her distemper seemed to proceed from a deep melancholy, which appeared both in her countenance and behaviour. She delighted in solitude, she sat constantly in the dark; and was often drowned in tears.

No sooner was the queen's indisposition known than persons of all ranks, and of all different sects and parties, redoubled their application to the king of Scots, and vied with each other in professions of attachment to his person, and in promises of submission to his government. Even some of her own servants, weary of the length of her reign, fond of novelty, impatient to get rid of the burden of gratitude for past benefits, and expecting to share in the liberality of a new prince,

began to desert her: and crowds of people hurried towards Scotland, eager to pre-occupy the favour of the successor, or afraid of being too late in paying homage to him.

Mean while, the queen's disease increased, and her melancholy appeared to be settled and incurable. Various conjectures were formed concerning the causes of a disorder, from which she seemed to be exempted by the natural chearfulness of her temper. Some imputed it to her being forced contrary to her inclination, to pardon the earl of Tyrone, whose rebellion had for many years created her much trouble. Others imagined that it arose from observing the ingratitude of her courtiers and the levity of her people who beheld her health declining with most indecent indifference, and looked forward to the accession of the Scottish king, with an impatience which they could not conceal. The most common opinion at that time, and perhaps the most probable, was, that it flowed from grief for the earl of Essex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though she often complained of his obstinacy, seldom mentioned his name without tears *. An accident happened soon after her retiring to Richmond, which revived her affection with new tenderness, and embittered her sorrows. The countess of Nottingham being on her death-bed, desired to see the queen, in order to reveal something to her, without discovering which, she could not die in peace. When the queen came into her chamber, she told her, that while Essex lay under sentence of death, he was desirous of imploring pardon in the manner which the queen herself had prescribed by returning a ring, which during the height of his favour she had given him, with a promise that if, in any future distress, he sent that back to her as a token, it should entitle him to her protection; that lady Scroop was the person he intended to employ in order to present it; that, by a mistake,

* Birch, Mem. ii. 505.

it was put into her hands instead of lady Scroop's; and that she having communicated the matter to her husband one of Essex's most implacable enemies, he had forbid her either to carry the ring to the queen, or to return it to the earl. The countess, having thus disclosed her secret, begged the queen's forgiveness; but Elizabeth, who now saw both the malice of the earl's enemies, and how unjustly she had suspected him of inflexible obstinacy, replied, "God may forgive you, but I never can;" and left the room in great emotion‡. From that moment, her spirit sunk entirely; she could scarce taste food; she refused all the medicines prescribed her by her physicians; declaring that she wished to die,

‡ This anecdote concerning Elizabeth was first published by Osborne, Mem. of Eliz. p. [illegible]; is confirmed by the testimony of de Maurier, M[illegible] 260, and by the traditional evidence of lady Elizabeth Spelman, published by Dr. Birch, Negoc. 106. Camden mentions the queen's grief for Essex's death as one of the causes of her melancholy. Some original papers remain, which prove that this was commonly believed at the time. Birch. Mem. ii. 506. But Essex had been beheaded two years before her death, and there seems to have been no other reason, but that which we have assigned, why her sorrow should revive with so much violence at so great a distance of time. As the death of the countess of Nottingham happened about a fortnight before the queen's death, the coincidence of these events, together with the other evidence mentioned, adds so much probability to the story related by Osborne, as will entitle it to a place in [illegible]. The only objection to the account we have given of Elizabeth's attachment to Essex, arises from her great age. At the age of 68, the amorous passions are commonly abundantly cool, and the violence of all the passions, except one, is much abated. But the force of this objection is entirely removed by an author who has illustrated many passages in the English history, and adorned more. Catalogue of Royal and Noble Authors, Article Essex.

and would live no longer. No intreaty could prevail on her to go to bed; she sat on cushions during ten days and nights, pensive and silent, holding her finger almost continually in her mouth, with her eyes open and fixed on the ground. The only thing to which she seemed to give any attention were the acts of devotion performed in her apartment by the archbishop of Canterbury; and in these she joined with great appearance of fervour. Wasted, at last, as well by anguish of mind, as by long abstinence, she expired, without a struggle, on Thursday the 24th day of March 1603, in the 70th year of her age, and in the 45th of her reign *.

Foreigners often accuse the English of indifference and disrepect towards their princes. But without reason; no people are more grateful than they to those monarchs who merit their gratitude. The names of Edward III. and Henry V. are mentioned by the English of this age with the same warmth as they were by those who shared in the blessings and splendor of their reigns. The memory of Elizabeth is still adored in England. The historians of that kingdom, after celebrating her love of her people; her sagacity in discerning their true interest; her steadiness in pursuing it; her wisdom in the choice of her ministers; the glory she acquired by arms; the tranquillity she secured to her subjects; and the increase of fame, of riches, and of commerce, which were the fruits of all these; justly rank her among the most illustrious princes. Even the defects in her character, they observe, were not of a kind pernicious to her people. Her excessive frugality was not accompanied with the love of hoarding; and though it prevented some great undertakings, and rendered the success of others incomplete, it introduced economy into her administration, and exempted the nation from many burdens, which a monarch, more profuse or more enterprising, must have imposed. Her slowness in rewarding her servants sometimes discou-

* Camd. Birch, Mem. ii. 506. Birch, Negoc. 206. Strype, iv. 373.

raged useful merit; but it prevented the undeserving from acquiring power and wealth, to which they had no title. Her extreme jealousy of those princes who pretended to dispute her right to the crown, led her to take such precautions, as tended no less to the public safety, than to her own; and to court the affections of her own people, as the firmest support of her throne. Such is the picture which the English draw of this great queen.

Whoever undertakes to write the history of Scotland, finds himself obliged, frequently, to view her in a very different, and in a less amiable light. Her authority in that kingdom, during the greater part of her reign, was little inferior to that which she possessed in her own. But this authority, acquired at first by a service of great importance to the nation, she exercised in a manner extremely pernicious to its happiness. By her industry in fomenting the rage of the two contending factions; by supplying the one with partial aid; by feeding the other with false hopes; by balancing their power so artfully, that each of them was able to distress, and neither of them to subdue the other; she rendered Scotland long the seat of discord, confusion, and bloodshed: and her craft and intrigues, effecting what the valour of her ancestors could not accomplish, reduced that kingdom to a state of dependence on England. The maxims of policy, often little consonant to those of morality, may, perhaps justify this conduct. But no apology can be offered for her behaviour to queen Mary; a scene of dissimulation without necessity; and of severity beyond example. In almost all her actions, Elizabeth is the object of our highest admiration; in this we must allow that she not only laid aside the magnanimity which became a queen, but the feelings natural to a woman.

Though Elizabeth would never permit the question concerning the right of succession to the crown to be determined in parliament; nor declare her own sentiments concerning a point which she wished to remain an impenetrable mystery; she had, however, formed no design of excluding the Scottish king from an in-

heritance to which his title was undoubted. A ſhort time before her death, ſhe broke the ſilence which ſhe had ſo long preſerved on that ſubject, and told Cecil and the lord admiral, "That her throne was the throne of kings; that ſhe would have no mean perſon to aſcend it, and that her couſin the king of Scots ſhould be her ſucceſſor." This ſhe confirmed on her death-bed. As ſoon as ſhe breathed her laſt, the lords of the privy-council proclaimed James king of England. All the intrigues carried on by foreigners in favour of the infanta, all the cabals formed within the kingdom to ſupport the titles of lady Arabella and the earl of Hartford, diſappeared in a moment; the nobles and people, forgetting their ancient hoſtilities with Scotland, and their averſion for the dominion of ſtrangers, teſtified their ſatisfaction with louder acclamations than were uſual at the acceſſion of their native princes. Amidſt this tumult of joy, a motion made by a few patriots, who propoſed to preſcribe ſome conditions to the ſucceſſor, and to exact from him the redreſs of ſome grievances, before they called him to the throne, was ſcarce heard; and Cecil, by ſtifling it, added to his ſtock of merit with his new maſter. Sir Charles Piercy, brother of the earl of Northumberland, and Thomas Somerſet, the earl of Worceſter's ſon, were diſpatched to Scotland with a letter to the king, ſigned by all the peers and privy-counſellors then in London; informing him of the queen's death, of his acceſſion to the throne, of their care to recognize his title, and of the univerſal applauſe with which the public proclamation of it had been attended. They made the utmoſt haſte to deliver this welcome meſſage; but were prevented by the zeal of ſir Robert Carey, lord Hunſdon's youngeſt ſon, who ſetting out a few hours after Elizabeth's death, arrived at Edinburgh on Saturday night, juſt as the king had gone to bed. He was immediately admitted into the royal apartment, and kneeling by the king's bed, acquainted him with the death of Elizabeth, ſaluted him king of England, Scotland, France and Ireland; and as a token of the truth of the intelligence which he brought, preſented

him a ring, which his sister lady Scroop had taken from the queen's finger after her death. James heard him with a decent composure. But as Carey was only a private messenger, the information which he brought was not made public, and the king kept his apartment till the arrival of Percy and Somerset. Then his titles were solemnly proclaimed; and his own subjects expressed no less joy, than the English, at this increase of his dignity. As his presence was absolutely necessary in England, where the people were extremely impatient to see their new sovereign, he prepared to set out for that kingdom without delay. He appointed his queen to follow him within a few weeks. He committed the government of Scotland to his privy-council. He intrusted the care of his children to different noblemen. On the Sunday before his departure, he repaired to the church of St. Giles, and after hearing a sermon, in which the preacher displayed the greatness of the divine goodness in raising him to the throne of such a powerful kingdom without opposition or bloodshed, and exhorted him to express his gratitude, by promoting, to the utmost, the happiness and prosperity of his subjects; the king rose up, and addressing himself to the people, made many professions of unalterable affection towards them; promised frequently to visit Scotland; assured them that his Scottish subjects, notwithstanding his absence, should feel that he was their native prince, no less than when he resided among them; and might still trust that his ears should be always open to their petitions, which he would answer with the alacrity and love of a parent. His words were often interrupted by the tears of the whole audience, who, though they exulted at the king's prosperity, were melted into sorrow by these tender declarations *.

On the 5th of April, 1603, he began his journey, with a splendid, but not a numerous train; and next day he entered Berwick. Wherever he came, immense multitudes were assembled to welcome him; and the

* Spotsw. 476.

principal persons in the different counties through which he passed displayed all their wealth and magnificence in entertainments prepared for him at their houses. Elizabeth had reigned so long in England, that most of her subjects remembered no other court but hers, and their notions of the manners and decorums suitable to a prince were formed upon what they had observed there. It was natural to apply this standard to the behaviour and actions of their new monarch, and to compare him, at first sight, with the queen, on whose throne he was to be placed. James, whose manners were extremely different from hers, suffered by the comparison. He had not that flowing affability, by which Elizabeth captivated the hearts of her people; and, though easy among a few whom he loved, his indolence could not bear the fatigue of rendering himself agreeable to a mixed multitude. He was no less a stranger to that dignity with which Elizabeth tempered her familiarity. And, instead of that well-judged frugality with which she conferred titles of honour, he bestowed them with an undistinguishing profusion, that rendered them no longer marks of distinction, or rewards of merit. But these were the reflections of the few alone; the multitude continued their acclamations; and amidst these, James entered London on the 7th of May, 1603, and took peaceable possession of the throne of England.

Thus were united two kingdoms, divided from the earliest accounts of time, but destined, by their situation, to form one great monarchy. By this junction of its whole native force, Great Britain has risen to that eminence and authority in Europe, which England and Scotland never could have attained.

The Scots had so long considered their monarchs as next heirs to the English throne, that they had full leisure to reflect on all the consequences of their being advanced to that dignity. But, dazzled with the glory of giving a sovereign to their powerful enemy, relying on the partiality of their native prince, and in full expectation of sharing liberally in the wealth and honours he would now be able to bestow, they attended little

to the most obvious consequences of that great event, and rejoiced at his accession to the throne of England, as if it had been no less beneficial to the kingdom, than honourable to the king. They soon had reason, however, to adopt very different sentiments; and from that period we may date a total alteration in the political constitution of Scotland.

The feudal aristocracy, which had been subverted in most nations of Europe by the policy of their princes, or had been undermined by the progress of commerce, still subsisted with full force in Scotland. Many causes had contributed gradually to augment the power of the Scottish nobles; and even the Reformation, which, in every other country where it prevailed, added to the authority of the monarch, had increased their wealth and influence. A king possessed of a small revenue, with a prerogative extremely limited, and unsupported by a standing army, could not exercise much authority over such potent subjects. He was obliged to govern by expedients; and the laws derived their force not from his power to execute them, but from the voluntary submission of the nobles. But though this produced a species of government feeble and irregular beyond example; though Scotland, under the name, and with all the outward ensigns of a monarchy, was really subject to an aristocracy, the people were not altogether unhappy; and even in this wild form of a constitution, there were principles, which tended to their security and advantage. The king, checked and overawed by the nobles, durst venture upon no act of arbitrary power. The nobles, jealous of the king, whose claims and pretensions were many, though his power was small, were afraid of irritating their dependents by unreasonable exactions, and tempered the rigour of aristocratical tyranny, with a mildness and equality to which it is naturally a stranger. And while the military genius of the feudal government remained in vigour, the vassals both of the crown and of the barons were generally not only free from oppression, but were courted by their superiors, whose power and importance were founded on their attachment and love.

But, by his acceffion to the throne of England, James acquired fuch an immenfe acceffion of wealth, of power, and of fplendor, that the nobles, aftonifhed and intimidated, thought it vain to ftruggle for privileges which they were now unable to defend. Nor was it from fear alone that they fubmitted to the yoke; James, partial to his countrymen, and willing that they fhould partake of his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power, in taming their fierce and independent fpirits. The will of the prince became the fupreme law in Scotland; and the nobles ftrove, with emulation, who fhould moft implicitly obey commands, which they had formerly been accuftomed to contemn. Satisfied with having fubjected the nobles to the crown, the king left them in full poffeffion of their ancient jurifdiction over their own vaffals. The extenfive rights, vefted in a feudal chief, became in their hands dreadful inftruments of oppreffion, and the military ideas, on which thefe rights were founded, being gradually loft or difregarded, nothing remained to correct or to mitigate the rigour with which they were exercifed. The nobles, exhaufting their fortunes by the expence of frequent attendance upon the Englifh court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people, who durft fcarce utter complaints which they knew would never reach the ears of their fovereign, nor move him to grant them any redrefs. And from the union of the crowns to the Revolution in 1688, Scotland was placed in a political fituation, of all others the moft fingular and the moft unhappy; fubjected at once to the abfolute will of a monarch, and to the oppreffive jurifdiction of an ariftocracy, it fuffered all the miferies peculiar to both thefe forms of government. Its kings were defpotic; its nobles were flaves and tyrants; and the people groaned under the rigorous domination of both.

During this period, the nobles, it is true, made one effort to fhake off the yoke, and to regain their ancient independency. After the death of James, the Scottifh

nation was no longer viewed by our monarchs with any partial affection. Charles I. educated among the Engliſh, diſcovered no peculiar attachment to the kingdom of which he was a native. And the nobles, perceiving the ſceptre to be now in hands leſs friendly, and ſwayed by a prince with whom they had little connection, and over whoſe councils they had little influence, no longer ſubmitted with the ſame implicit obedience. Provoked by ſome encroachments of the king on their order, and apprehenſive of others, the remains of their ancient ſpirit began to appear. They complained and remonſtrated. The people being, at the ſame time, violently diſguſted at the innovations in religion, the nobles ſecretly heightened this diſguſt; and their artifices, together with the ill conduct of the court, raiſed ſuch a ſpirit, that the whole nation took arms againſt their ſovereign, with an union and animoſity of which there had formerly been no example. Charles brought againſt them the forces of England, and notwithſtanding their own union, and the zeal of the people, the nobles muſt have ſunk in the ſtruggle. But the diſaffection which was growing among his Engliſh ſubjects, prevented the king from acting with vigour. A civil war broke out in both kingdoms; and after many battles and revolutions, which are well known, the Scottiſh nobles, who firſt began the war, were involved in the ſame ruin with the throne. At the Reſtoration, Charles II. regained full poſſeſſion of the royal prerogative in Scotland; and the nobles, whoſe eſtates were waſted, or their ſpirit broken, by the calamities to which they had been expoſed, were leſs able and leſs willing than ever to reſiſt the power of the crown. During this reign, and that of James VII. the dictates of the monarch were received in Scotland with moſt abject ſubmiſſion. The poverty to which many of the nobles were reduced, rendered them meaner ſlaves, and more intolerable tyrants than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to thoſe adopted by their princes.

The Revolution introduced other maxims into the government of Scotland. To increaſe the authority of the prince, or to ſecure the privileges of the nobles, had hitherto been almoſt the ſole object of our laws. The rights of the people were ſcarce ever mentioned, were diſregarded, or unknown. Attention began, henceforward, to be paid to the welfare of the people. By the *claim of right*, their liberties were ſecured; and the number of their repreſentatives being increaſed, they gradually acquired new weight and conſideration in parliament. As they came to enjoy more ſecurity and greater power, their minds began to open, and to form more extenſive plans of commerce, of induſtry, and of police. But the ariſtocratical ſpirit, which ſtill predominated, together with many other accidents, retarded the improvement and happineſs of the nation.

Another great event completed what the Revolution had begun. The political power of the nobles, already broken by the union of the two crowns, was almoſt annihilated by the union of the two kingdoms. Inſtead of making a part, as formerly, of the ſupreme aſſembly of the nation, inſtead of bearing the moſt conſiderable ſway there, the Scottiſh nobles are admitted into the Britiſh parliament by their repreſentatives only, and form but an inconſiderable part of one of thoſe bodies in which the legiſlative authority is veſted. They themſelves are excluded abſolutely from the houſe of commons, and even their eldeſt ſons are not permitted to repreſent their countrymen in that auguſt aſſembly. Nor have their feudal privileges remained to compenſate for this extinction of their political authority. As commerce advanced in its progreſs, and government attained nearer to perfection, theſe were inſenſibly circumſcribed, and at laſt, by laws no leſs ſalutary to the public, than fatal to the nobles, they have been almoſt totally aboliſhed. As the nobles were deprived of power, the people acquired liberty. Exempted from burdens to which they were formerly ſubject; ſcreened from oppreſſion, to which they had been long expoſed, and adopted into a conſtitution whoſe genius and laws were

more liberal than their own, they have extended their commerce, refined their manners, made improvements in the elegancies of life, and cultivated the arts and ſciences.

This ſurvey of the political ſtate of Scotland, in which events and their cauſes have been mentioned rather than developed, enables us to point out three æras, from each of which we may date ſome great alteration in one or other of the three different members of which the ſupreme legiſlative aſſembly in our conſtitution is compoſed. At the *acceſſion*, the kings of Scotland, once the moſt limited, became, in an inſtant, the moſt abſolute princes in Europe, and exerciſed a deſpotic authority, which their parliaments were unable to controul, or their nobles to reſiſt. At the *union*, the feudal ariſtocracy, which had ſubſiſted ſo many ages, and with power ſo exorbitant, was overturned, and the Scottiſh nobles, voluntarily ſurrendered rights and pre-eminences peculiar to their order, and reduced themſelves to a condition which is no longer the terror and envy of other ſubjects. *Since the union*, the commons anciently neglected by their kings, and deſpiſed by the nobles, have emerged into dignity; and, being admitted to a participation of all the privileges which the Engliſh had purchaſed at the expence of ſo much blood, muſt now be eſteemed a body no leſs conſiderable in the one kingdom, than they have long been in the other.

The church felt the effects of the abſolute power which the king acquired by his acceſſion; and its revolutions, too, are worthy of notice. James, during the latter years of his adminiſtration in Scotland, had revived the name and office of biſhops. But they poſſeſſed no eccleſiaſtical juriſdiction or pre-eminence; their revenues were inconſiderable, and they were ſcarce diſtinguiſhed by any thing but by their ſeat in parliament, and by being the object of the clergy's jealouſy, and the people's hatred. The king delighted with the ſplendor and authority which the Engliſh biſhops enjoyed, and eager to effect an union in eccleſiaſtical policy, which he had, in vain attempted in the civil government, reſolved to bring both churches to an exact conformity

with each other. Three Scotſmen were conſecrated biſhops at London. From them, their brethren were commanded to receive orders. Ceremonies unknown in Scotland were impoſed; and though the clergy, leſs obſequious than the nobles, boldly oppoſed theſe innovations, James, long practiſed and well ſkilled in the arts of managing them, obtained at length their compliance. But Charles I. a ſuperſtitious prince, unacquainted with the genius of the Scots, imprudent and precipitant in all the meaſures he purſued in that kingdom, preſſing too eagerly the reception of the Engliſh liturgy, and indiſcreetly attempting a reſumption of church lands, kindled the flames of civil war; and the people being left at liberty to indulge their own wiſhes, the epiſcopal church was overturned, and the preſbyterian government and diſcipline were re-eſtabliſhed with new vigour. Together with monarchy, epiſcopacy was reſtored in Scotland. A form of government, ſo odious to the people, required force to uphold it; and though the whole rigour of authority, and all the barbarity of perſecution were employed in its ſupport, the averſion of the nation was inſurmountable, and it ſubſiſted with difficulty. At the Revolution, the inclinations of the people were thought worthy the attention of the legiſlature, the preſbyterian government was again eſtabliſhed, and, being ratified by the union, is ſtill maintained in the kingdom.

Nor did the influence of the acceſſion extend to the civil and eccleſiaſtical conſtitutions alone; the genius of the nation, its taſte and ſpirit, things of a nature ſtill more delicate, were ſenſibly affected by that event. When learning revived in the fifteenth and ſixteenth centuries, all the modern languages were in a ſtate equally barbarous, devoid of elegance, of vigour, and even of perſpicuity. No author thought of writing in languages ſo ill adapted to expreſs and embelliſh his ſentiments, or of erecting a work for immortality with ſuch rude and periſhing materials. And as the ſpirit, which prevailed at that time, did not owe its riſe to any original effort of the human mind, but was excited by

admiration of the ancients, their compoſitions were eſteemed not only the ſtandards of taſte and of ſentiment, but of ſtyle; and even the languages in which they wrote were thought to be peculiar, and almoſt conſecrated to learning and the muſes. Not only the manner of the ancients was imitated, but their language copied: and, extravagant as the attempt may appear to write in a dead tongue, in which men were not accuſtomed to think, and which they could not ſpeak, nor even pronounce, the ſucceſs of it was aſtoniſhing. As they formed their ſtyle upon the pureſt models; as they were uninfected with thoſe barbariſms which the inaccuracy of familiar converſation, the affectation of courts, intercourſe with ſtrangers, and a thouſand other cauſes, introduce into living languages; many moderns have attained to a degree of elegance in their Latin compoſitions, which the Romans themſelves ſcarcely poſſeſſed beyond the limits of the Auguſtan age. While this was almoſt the only ſpecies of compoſition, and all authors, by uſing one common language, could be brought to a nearer compariſon, the Scottiſh writers were not inferior to thoſe of any other nation. The happy genius of Buchanan, equally formed to excel in proſe and in verſe, more various, more original, and more elegant, than that of almoſt any other modern who writes in Latin, reflects, with regard to this particular, the greateſt luſtre on his country.

But the labour attending the ſtudy of a dead tongue was irkſome, the unequal return for their induſtry which authors met with, who could be read and admired only within the narrow circle of the learned, was mortifying; and men, inſtead of waſting half their lives in learning the language of the Romans, began to refine and to poliſh their own. The modern tongues were found to be ſuſceptible of beauties and graces, which, if not equal to thoſe of the ancient ones were at leaſt more attainable. The Italians having firſt ſet the example, Latin was no longer uſed in the works of taſte; it was confined to books of ſcience; and the politer nations have baniſhed it even from theſe. The Scots, we may preſume, would have had no cauſe to regret this change

in the public taſte, and would ſtill have been able to maintain ſome equality with other nations, in their purſuit of literary honour. The Engliſh and Scottiſh languages, derived from the ſame ſources, were, at the end of the ſixteenth century, in a ſtate nearly ſimilar, differing from one another ſomewhat in orthography, though not only the words, but the idioms were much the ſame. The letters of ſeveral Scottiſh ſtateſmen of that age are not inferior in elegance, or in purity, to thoſe of the Engliſh miniſters with whom they correſponded. James himſelf was maſter of a ſtyle far from contemptible; and by his example and encouragement, the Scottiſh language might have kept pace with the Engliſh in refinement. Scotland might have had a ſeries of authors in its own, as well as in the Latin language, to boaſt of; and the improvements in taſte, in the arts, and in the ſciences, which ſpread over the other poliſhed nations of Europe, would not have been unknown there.

But, at the very time when other nations were beginning to drop the uſe of Latin in works of taſte, and to make trial of the ſtrength and compaſs of their own languages, Scotland ceaſed to be a kingdom. The tranſports of joy, which the acceſſion at firſt occaſioned were ſoon over: and the Scots, being at once deprived of all the objects that refine or animate a people; of the preſence of their prince, of the concourſe of nobles, of the ſplendor and elegance of a court, an univerſal dejection of ſpirit ſeems to have ſeized the nation. The court being withdrawn, no domeſtic ſtandard of propriety and correctneſs of ſpeech remained; the few compoſitions that Scotland produced were tried by the Engliſh ſtandard, and every word or phraſe that varied in the leaſt from that, was condemned as barbarous; whereas, if the two nations had continued diſtinct, each might have retained idioms and forms of ſpeech peculiar to itſelf; and theſe, rendered faſhionable by the example of a court, and ſupported by the authority of writers of reputation, would have been conſidered in the ſame light with the varieties occaſioned by the different dialects in the Greek tongue; would have been conſidered as

beauties; and, in many caſes, might have been uſed promiſcuouſly by the authors of both nations. But, by the acceſſion, the Engliſh naturally became the ſole judges and lawgivers in language, and rejected as ſoleciſms, every form of ſpeech to which their ear was not accuſtomed. Nor did the Scots, while the intercourſe between the two nations was inconſiderable*, and ancient prejudices were ſtill ſo violent as to prevent imitation, poſſeſs the means of refining their own tongue according to the purity of the Engliſh ſtandard. On the contrary, new corruptions flowed into it from every different ſource. The clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not ariſe many authors among them, yet being in poſſeſſion of the privilege of diſcourſing publicly to the people, and their ſermons being too long, and perhaps too frequent, ſuch haſty productions could not be elegant, and many ſlovenly and incorrect modes of expreſſion may be traced back to that original. The pleadings of lawyers were equally looſe and inaccurate, and that profeſſion having furniſhed more authors, and the matters of which they treat mingling daily in common diſcourſe and buſineſs, many of thoſe vicious forms of ſpeech, which are denominated Scotticiſms, have been

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* A remarkable proof of the little intercourſe between the Engliſh and Scots before the union of the crowns, is to be found in two curious papers, one publiſhed by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the biſhop of London to take a ſurvey of all the ſtrangers within the cities of London and Weſtminſter. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. Haynes, 455. A ſurvey of the ſame kind was made by Sir Thomas Row, lord mayor; A. D. 1568. The number of Scots had then increaſed to 88. Strype, iv. Supplement, No. I. On the acceſſion of James, a conſiderable number of Scots, eſpecially of the higheſt rank, reſorted to England; but it was not till the union that the intercourſe between the two kingdoms became great.

by them introduced into the language. Nor did either the language or public taste receive any improvement in parliament, where a more liberal and more correct eloquence might have been expected. All business was transacted there by the lords of articles, and they were so servilely devoted to the court, that few debates arose, and none were conducted with the spirit and vigour natural to a popular assembly.

Thus, during the whole seventeenth century, the English were gradually refining their language and their taste; in Scotland the former was much debased, and the latter almost entirely lost. In the beginning of that period, both nations were emerging out of barbarity; but the distance between them, which was then inconsiderable, became, before the end of it, immense. Even after science had once dawned upon them, the Scots seemed to be sinking back into ignorance and obscurity; and active and intelligent as they naturally are, they continued, while other nations were eager in the pursuit of fame and knowledge, in a state of languor and stupefaction. This, however, must be imputed to the unhappiness of their political situation, not to any defect of genius; for no sooner was the one removed in any degree, than the other began to display itself. The act abolishing the power of the lords of articles, and other salutary laws passed at the Revolution, having introduced freedom of debate into the Scottish parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention; and the example of Fletcher of Salton alone is sufficient to shew that the Scots were still capable of generous sentiments, and notwithstanding some peculiar idioms, were able to express themselves with energy, and with elegance.

At length the union having incorporated the two nations, and rendered them one people, the distinctions which had subsisted for many ages gradually wear away; peculiarities disappear; the same manners prevail in both parts of the island; the same authors are read and admired; the same entertainments are frequented by the elegant and polite; and the same standard of

taſte, and of purity in language, is eſtabliſhed. And the Scots, after being placed, during a whole century, in a ſituation no leſs fatal to the liberty than to the taſte and genius of the nation, were at once put in poſſeſſion of privileges more valuable than thoſe which their anceſtors had formerly enjoyed; and every obſtruction that had retarded their purſuit, or prevented their acquiſition or literary fame, was totally remov

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